

TheParliamentarian



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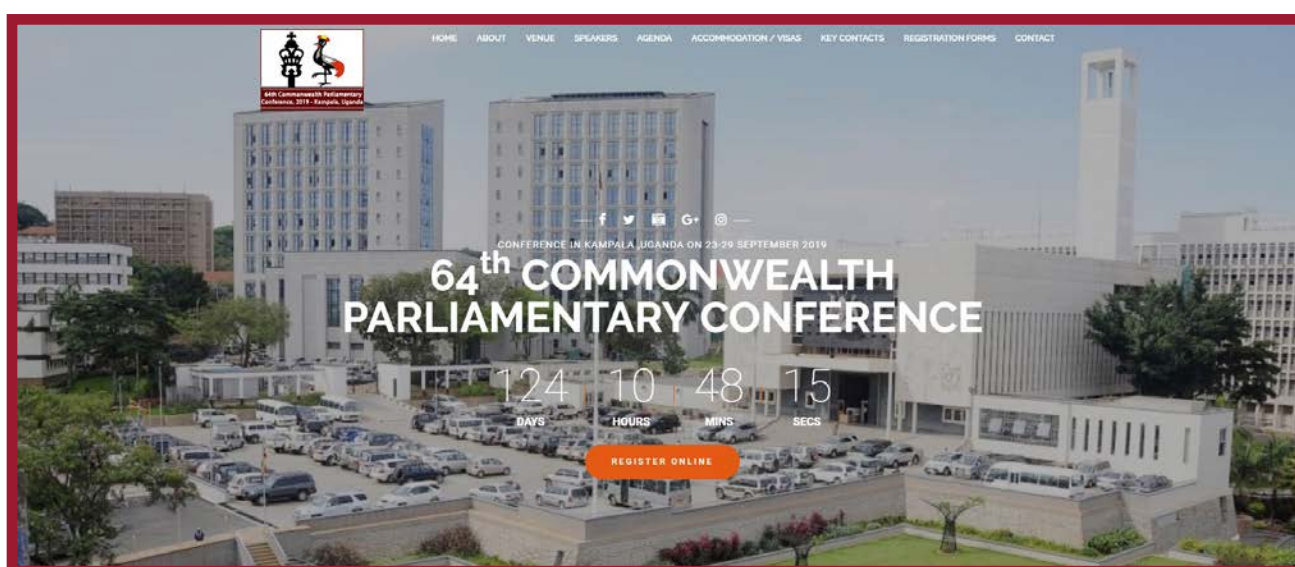


64th COMMONWEALTH PARLIAMENTARY CONFERENCE KAMPALA, UGANDA

22 to 29 SEPTEMBER 2019 (inclusive of arrival and departure dates)

For further information visit www.cpc2019.org and www.cpahq.org/cpahq/cpc2019

CONFERENCE THEME: 'ADAPTATION, ENGAGEMENT AND EVOLUTION OF
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- CPA's global membership addressing the critical issues facing today's modern Parliaments and Legislatures.
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During the 64th Commonwealth Parliamentary Conference, there will also be a number of additional conferences and meetings including: 37th CPA Small Branches Conference; 6th triennial Commonwealth Women Parliamentarians (CWP) Conference; 64th CPA General Assembly; meetings of the CPA Executive Committee; and the Society of Clerks at the Table (SOCATT) meetings. This year, the conference will hold elections for the Chairperson of the Commonwealth Women Parliamentarians (CWP), the CPA Treasurer and the CPA Small Branches Chairperson for new three-year terms.

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STATEMENT OF PURPOSE



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

Calendar of Forthcoming Events

Confirmed as of 10 May 2019

2019

May

1 to 2 May	CPA Parliamentary Strengthening Seminar for the Parliament of Bermuda, Hamilton, Bermuda
19 to 22 May	48 th CPA British Islands and Mediterranean Regional Conference, St Peter Port, Guernsey
27 to 31 May	CPA Parliamentary Staff Development Programme with McGill University, Montreal, Canada

June

12 to 13 June	CPA Technical Assistance Programme for the National Assembly of Zambia, Lusaka, Zambia
17 to 19 June	Westminster Workshop on Gender Sensitive Scrutiny (CPA UK event), London, UK

July

12 to 19 July	44 th Annual Conference of the CPA Caribbean, Americas and Atlantic Region, Trinidad and Tobago
29 July to 2 August	5 th CPA Asia Regional Conference, Islamabad, Pakistan

September

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



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).

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Updated January 2019



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COMMONWEALTH AT 70: CELEBRATING A CONNECTED COMMONWEALTH

The Editor's Note

Few could have imagined seventy years ago, when the London Declaration was signed to create the 'modern' Commonwealth, that we would be reflecting on the successes of the Commonwealth many years later and looking forward to a renewed global partnership for the future.

The origins of the Commonwealth stretch back much further than 70 years, but the signing of the London Declaration in 1949 marks the point at which the legacy of the British Empire was replaced with a partnership of equal member countries sharing a set of principles and values that was later enshrined in the Commonwealth Charter.

The Commonwealth Parliamentary Association emerged from the Empire Parliamentary Association, which had been founded in 1911. The Commonwealth Parliamentary Association was re-established at a conference in London in October 1948, several months ahead of the London Declaration on 26 April 1949 when its new name was adopted.

Since the modern Commonwealth came into existence, the relevance and value of the relationship has been reaffirmed and consolidated. For the Commonwealth Parliamentary Association (CPA), its membership expanded across the CPA's nine Regions and to over 180 Branches including national, state, provincial and territorial Parliaments and Legislatures.

The annual celebration of Commonwealth Day has been celebrated around the Commonwealth on the second Monday in March every year since the 1970s and this year, the celebrations also included the 70th anniversary of the 'modern' Commonwealth. The 2019 Commonwealth Day theme focused on 'A Connected Commonwealth' which offers opportunities for the people, Parliaments, governments and institutions of the Commonwealth to connect and work together at many levels through far-reaching and deep-rooted networks of friendship and goodwill.

CPA Branches and Regions across the network of the Commonwealth Parliamentary Association marked Commonwealth Day 2019 in many ways and reports of these activities can be found in this issue of *The Parliamentary*.

The Chairperson of the Commonwealth Parliamentary Association (CPA) Executive Committee, Hon. Emilia Monjowa Lifaka, MP (Cameroon) in her *View* article speaks about 'A Connected Commonwealth' and the role of young people in an extract of her speech given on Commonwealth Day this year.

The CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP, (Malta) speaks of the importance of tackling climate change for the 53 Commonwealth countries, especially its 31 small and developing states which are often the least polluting but the first casualties of climate change in his *View* article. The CPA Small Branches Chairperson led a round table discussion on the theme of 'The role of youth in combatting climate change through political participation' on Commonwealth Day

2019 in London and the discussion included a wide range of views on climate change from CPA Commonwealth Day Youth participants and from Commonwealth Parliamentarians who joined the discussion.

In this issue of *The Parliamentary*, the Chairperson of the Commonwealth Women Parliamentarians (CWP), Hon. Dr Dato' Noraini Ahmad, MP (Malaysia) examines the impact of women's suffrage and asks if this is a prerequisite to the gender equality agenda.

The CPA Secretary-General, Mr Akbar Khan, reflecting on the 70th anniversary of the 'modern' Commonwealth in his *View* article, writes about the Commonwealth and its resilience in the 21st century. This article is based on remarks made by the CPA Secretary-General at a roundtable panel discussion hosted by the Institute of Commonwealth Studies and the School of Advanced Studies at the University of London.

As we mark the 70th anniversary of the 'modern' Commonwealth, we feature a number of articles by contributors from across the Commonwealth reflecting on the progress and future of the organisation.

The Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC reflects on the Commonwealth at 70 and outlines that by demonstrating the practical benefits of international collaboration and combined purpose, Commonwealth connection and collaboration, the Commonwealth can deepen its understanding of each other as interdependent and mutually supporting.

Senator Hon. Dennis D. Moses is the Minister of Foreign and CARICOM Affairs of the Republic of Trinidad and Tobago and he writes in this issue of *The Parliamentary* about the role of Parliamentarians in delivering on the Commonwealth's agenda.

Hon. Dr Richard Sezibera is the Minister of Foreign Affairs and International Cooperation for the Republic of Rwanda and he writes about the 'Interconnected Commonwealth' as well as looking ahead to the Commonwealth Heads of Government Meeting (CHOGM), due to be held in Rwanda in 2020.

The United Kingdom's Minister for the Commonwealth and UN, Lord Ahmad of Wimbledon writes about democracy and diversity at the heart of a fairer, modern Commonwealth and reflects on the UK's role as current Chair-in-Office.

The topic of '70 Years On: Moving forward together within the Commonwealth of Nations' is examined in this issue by Hon. Carmelo Abela, MP, Malta's Minister for Foreign Affairs and Trade Promotion.

A Co-Chair of the All-Party Parliamentary Group (APPG) on the Commonwealth in the UK Parliament, Lord Chidgey of Hamble-le-Rice reflects on CHOGM 2018 Outcomes and the United Kingdom as Chair-in-Office. Lord Collins of Highbury (United Kingdom) champions 'A Peoples' Commonwealth' and asks us to look beyond Governments to include civil society and peoples' groups.



Jeffrey Hyland, Editor
***The Parliamentary*,**
Commonwealth
Parliamentary Association



Images: Commonwealth Secretariat

Commonwealth Day 2019 activities in London, UK.

This issue of *The Parliamentarian* also highlights several other topics and themes, events and activities. **Hon. Chris Steel, MLA** (Australian Capital Territory) writes about the discrimination faced by LGBT+ people in many Commonwealth countries that has been exposed by the recent law changes in Brunei.

Hon. Simon G. Pentanu, MHR is the Speaker of the Bougainville House of Representatives and he writes about the political and procedural challenges of a post-conflict Parliament and shares Bougainville's own experiences.

The importance of effective financial oversight in Commonwealth Parliaments was highlighted at the Commonwealth Association of Public Accounts Committees (CAPAC) Pacific Workshop, which took place recently in Suva, Fiji. **Hon. Shabana Mahmood, MP** is a Member of the UK Parliament's Public Accounts Committee (PAC) and she shares her experience of the Pacific workshop.

In a year of anniversaries and celebrations, the Scottish Parliament is celebrating its 20th anniversary and **Rt Hon. Ken Macintosh, MSP**, the Presiding Officer of the Scottish Parliament, reflects on democracy and political participation in Scotland as the Parliament reaches this milestone anniversary.

Ravindra Garimella is Joint Secretary of the Lok Sabha Secretariat at the Parliament of India and a regular contributor to *The Parliamentarian: Parliamentary Report* section and in this issue, he examines the functioning of democratic institutions in India as he launches a new book on this topic.

A special report by the Commonwealth Women Parliamentarians New Zealand Group examines 'Sexism, harassment and violence against women Parliamentarians in New Zealand' and **Louisa Wall, MP** and **Jo Hayes, MP** (New Zealand) provide a summary of the report for our readers.

This issue of *The Parliamentarian* features news and reports of Commonwealth Women Parliamentarians (CWP) activities including

International Women's Day 2019; the launch of the new CWP Alumni Initiative; a Fiji Women Parliamentarians exchange visit to New Zealand; a women's rights conference in Malaysia; and celebrating women changemakers in Sri Lanka.

CPA news reports in this issue include: the CPA Executive Committee Mid-Year meeting taking place in Ottawa, Canada; preparations for the 64th Commonwealth Parliamentary Conference in Uganda; the CPA Chairperson's visit to the Parliament of Tanzania; the CPA Canada Branch visiting New Zealand and Samoa; the CPA Secretary-General speaking at a 'Brexit' seminar in Gibraltar; the highlighting of the importance of the Commonwealth Latimer House Principles on the separation of powers at the 21st Commonwealth Law Conference in Zambia; the New Zealand Speaker hosting the CPA Pacific Regional launch of the updated CPA Benchmarks for Democratic Legislatures; and Malaysia Speaker commending the CPA Democratic Benchmarks as a 'global standard'.

The *Parliamentary Report* and *Third Reading* section in this issue includes parliamentary and legislative news from Canada Federal, Trinidad and Tobago, India, New Zealand, Uganda, United Kingdom and Australia Federal.

In 2019, *The Parliamentarian* is celebrating its 100th year of publishing and we will be publishing our centenary issue of the publication in early 2020 to mark 100 years since the first issue. If readers have any memories of the publication that they would like to share for an upcoming feature on the publication's centenary, then please contact the Editor. We look forward to hearing your feedback and comments on this issue of *The Parliamentarian*, on the issues affecting Parliamentarians across the Commonwealth and to receiving your future contributions to this publication.

Jeffrey Hyland
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A CONNECTED COMMONWEALTH AND THE ROLE OF YOUNG PEOPLE

View from the CPA Chairperson

As the Chairperson of the Commonwealth Parliamentary Association, I was delighted to attend the Commonwealth Day 2019 events in London, UK and to join young people in celebrating the 2019 Commonwealth Day theme of 'A Connected Commonwealth'.

It was exciting to see faces from such a wide and diverse range of Commonwealth nations represented at the CPA's events as well as the Commonwealth Day Observance at Westminster Abbey to celebrate our shared Commonwealth values, including inclusivity, diversity and the rule of law.

Commonwealth Day is a unique opportunity for people across the world to affirm and celebrate the strong unity and uplifting values that underpin the Commonwealth. The Commonwealth offers opportunities for the people, Parliaments, governments and institutions of the Commonwealth to connect and work together at many levels through far-reaching and deep-rooted networks of friendship and goodwill.

As we met in London for this year's Commonwealth Day, fellow Commonwealth citizens were convening together in schools, communities and Parliaments in many different countries to engage in a range of activities, from flag raising ceremonies, street parties, debates and fashion shows to mark the occasion.

This year, the Commonwealth Parliamentary Association has provided bursaries for ten CPA Branches for their Commonwealth Day activities, associated with their Legislatures. These projects include outreach



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

programmes in schools and colleges, social and digital media initiatives, and essay competitions. CPA Branches can apply to the CPA Headquarters Secretariat for bursaries to help to fund their own activities and events for future Commonwealth Days.

Commonwealth Day 2019 also celebrates the 70th anniversary of the 'modern' Commonwealth which was established by the London Declaration on 26 April 1949.*

A lot has changed since the formation of the Commonwealth in 1949 when Australia, Britain, Sri Lanka, India, New Zealand, Pakistan, South Africa and Canada signed the Declaration of London after a six-day conference.

The Commonwealth has evolved into a culturally and globally diverse family of nations. The Commonwealth continues to be sustained by the continuity of our mutual

values and goals. Our beliefs in freedom, democracy and human rights; equality and equity; as well as development and prosperity mean as much today as they did more than half a century ago.

The 2019 Commonwealth Day theme is 'A Connected Commonwealth'. This theme speaks to the heart of what the modern Commonwealth is about: a culturally and globally diverse family of nations committed to working together to promote democracy and development based on the enduring political values of the Commonwealth.

One of the important ways in which the Commonwealth connects is through collaborative efforts to protect our shared natural environment and oceans which connect us from shore to shore. The Commonwealth acts as a trusted partner for Small States, promoting and protecting their rights and ensuring their concerns are reflected in key climate change documents such as the Paris Agreement.

The Commonwealth Blue Charter also represents a great example of the important collaborative work undertaken by Commonwealth Nations. Launched following the Commonwealth Heads of Government Meeting, the Blue Charter seeks to protect the health of the world's oceans and promote growth of blue economies.

We live in an era where the challenges we face are truly global, and do not respect borders. We are therefore all responsible for tackling these challenges. As a truly global organisation with clearly defined, globally shared values and principles, the Commonwealth is in a unique position to address these challenges and create a better future for all citizens.

With the countries most endangered and threatened by the effects of climate change being located in the Commonwealth, climate change affects and connects us all, and young people are an integral part in finding the solution to this global issue.

I encourage everyone to embrace this year's Commonwealth theme:

"The CPA firmly believes that parliamentary democracy is a powerful force for change, and a pivotal institution in achieving a common future. Parliament is the crucible of all policy, legislation and debate in a modern democracy. The stronger a Parliament, the healthier a democracy. It is therefore vital that young people's voices are heard at the parliamentary level."



'A Connected Commonwealth' and to come to together and use this space to connect, to learn and to share with each other. Our Commonwealth Day discussions helped to motivate and inspire the young people who attended the CPA's events and it is hoped that they will engage with their own Parliaments across the Commonwealth and leverage support for the increased ambition on climate action that young people across the world are calling for.

The CPA is committed to providing an inclusive space for dialogue and debate in which participants can discuss the most pressing issues – including those arising from climate change; outcomes and recommendations will be shared with Commonwealth Parliamentarians attending the 64th Commonwealth Parliamentary Conference in Uganda later this year.

As future leaders, young people have a critical role to play in raising awareness of the issue of climate change amongst Commonwealth Parliaments and I encourage all Members of the CPA to engage with young people and to hear from them on the ways in they think our Parliaments and Parliamentarians could help to combat climate change.

One effective and important way in which we can promote 'A Connected Commonwealth' is through building cross-cultural connections and networks with our fellow youth and creating and diving head-first into youth-led initiatives.

There are a number of fantastic Commonwealth networks and initiatives already in existence. These include the Commonwealth Youth Council, the Commonwealth Youth and Gender Equality Network and the CPA's own Commonwealth Youth Parliaments, which take place at a national and regional level.

Commonwealth Day is important as it provides the opportunity for Parliamentarians to engage with young, bright and talented Commonwealth citizens, all hungry to change the world. The engagement of youth with Parliament and parliamentary processes is of vital importance.

This is a two-way process – national and global institutions need to empower young people and ensure they listen to them; however, young



Image: Commonwealth Secretariat

people also need to ensure that they are active and engaged and hold institutions to account, in order to shape policy and bring about reform.

The CPA firmly believes that parliamentary democracy is a powerful force for change, and a pivotal institution in achieving a common future. Parliament is the crucible of all policy, legislation and debate in a modern democracy. The stronger a Parliament, the healthier a democracy. It is therefore vital that young people's voices are heard at the parliamentary level.

I hope that the inspiring young people that I met on Commonwealth Day from across the Commonwealth will have come away with a deeper understanding of what the Commonwealth is all about, and the shared values that bind us together as Commonwealth citizens.

**The Commonwealth Parliamentary Association emerged from the Empire Parliamentary Association, founded in 1911, at a conference in London in October 1948, several months ahead of the London Declaration on 26 April 1949.*

This View article is based on the CPA Chairperson's speech on Commonwealth Day on Monday 11 March 2019.

CPA supports the Commonwealth Youth Orchestra and Choir in launching a new song to inspire aspiration to mark the 70th anniversary of the modern Commonwealth

The Commonwealth Parliamentary Association has supported the Commonwealth Youth Orchestra and Choir at the launch of 'Believe' - a new song to inspire aspiration. The new song was launched during the week of Commonwealth Day 2019 in London, UK at a special event held at St John's Church Smith Square.

The new song 'Believe' was composed by Major Simon Haw to mark the 70th anniversary of the 'modern' Commonwealth which came into existence with the London Declaration in 1949. The new song has been dedicated to Her Majesty Queen Elizabeth II, Head of the Commonwealth and Patron of the Commonwealth Parliamentary Association (CPA).

The CPA Chairperson, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon and the CPA Secretary-General, Mr Akbar Khan spoke about the work of the CPA at the launch event for the new song which was followed by music and choir performances.



Image: Twitter @hnschofield



WOMEN'S SUFFRAGE: A PREREQUISITE TO THE GENDER EQUALITY AGENDA



View from the Commonwealth Women Parliamentarians (CWP) Chairperson

"The very essence of democracy is that every person represents all the varied interests which compose the nation", these are the words from a renowned proponent of the ideals of democracy, Mahatma Gandhi.

If we consider the age of democracy to have started at the French Revolution, it began with the disfranchisement of women. The French Revolution, which altered the course of modern history, saw the Women's March on Versailles take place where women marched in response to the economic hardships they encountered. Jean-Antoine-Nicolas de Caritat Condorcet, a French philosopher, observed that the lack of women's voting rights during the French Revolution was 'a deprivation contrary to justice although authorised by almost universal practice'.

Women's suffrage at the national level was first obtained by women in New Zealand in 1893 and later in Australia in 1902 when women gained voting rights in national elections. However, it must be noted that before the women of New Zealand exercised voting rights, women in the Isle of Man were permitted to vote for their parliamentary delegates in 1881. Likewise, the small and remote Pitcairn Island in the southern Pacific Ocean was discovered in 1838 by a British captain to have accorded every native born on the island, male and female, the rights to vote. A comprehensive study¹ on the history of women's suffrage found that such rights were initially obtained in smaller jurisdictions on the world stage and even smaller locations within certain national states.

A century on, voting rights have become a norm and guaranteed as a fundamental right, enshrined in *Article 21* of the Universal Declaration of Human Rights. The right to take part in the political life of a country by having universal and equal suffrage has been further amplified in the Convention on the Political Rights of Women. The first article of the Convention clearly states that women shall enjoy political participation on equal terms with men without any discrimination. This political participation includes the entitlement to vote, the eligibility to stand in elections and to hold public office, signifying the extent of women's suffrage.

The significance of the enfranchisement of women and their active participation in politics, after all, is about having harmonious and non-discriminatory societies through well-informed and gender-sensitive policies. That is what democracy is all about, to cater to the needs and



**Hon. Dr Dato' Noraini Ahmad,
MP, Chairperson of the
Commonwealth Women
Parliamentarians (CWP) and
Member of the Parliament of
Malaysia.**

rights of every member equally while still respecting the plurality and the diversity of the society. Therefore, one could claim that democracy in its noble cause would be to promote gender equality.

Gender equality has become one of the top priorities for women's global development agenda. Its inclusion as one of the UN Sustainable Development Goals (SDGs) marked the importance of gender equality and women's empowerment and the need to continue working to deliver on these aims.

To put things into perspective, women make up 48.4% of Malaysia's 32.6 million population, and 50.58% (7.56 million) of the country's electorate (14.94 million). In relation to Parliament, 75 women were nominated as parliamentary candidates and constituted only 10.9% of the 687 candidates in the general election in 2018. Of that number, only 32 won and were elected, with women's representation in the

Malaysian Parliament currently at only 14.4%. At the state level, only 177 women were nominated as candidates out of a total of 1,646 candidates overall to contest seats, which yielded 62 women elected to the respective State Legislative Assemblies (or just 12.3% of the total state lawmakers).

However, the ratio between the percentage of candidates and the percentage of elected women to Parliament and the State Legislative Assemblies clearly shows that women possess a higher winning percentage. If more women secure candidacy nominations in elections, we can imagine a higher number of women could be elected to Parliament.

Although, over time, there have been remarkable achievements in the pursuit of gender equality, the progress, however, has been quite slow. The Commonwealth's 30% target for women in strategic and decision-making positions compared to the percentage of women participating in elections in Malaysia, indicates that there is still a mountain to climb. As women are still underrepresented in leadership and management level positions, it is imperative to identify how gender equality could be attained.

Three areas have been identified that could potentially measure levels of gender equality: capabilities, opportunities, and empowerment. Indicators of health, education, and nutrition could measure the level of capabilities, whereas the level of opportunities is widely measured by the equality of access to resources, labour force participation and employment rates. Empowerment is also usually measured by the proportion of women in the Legislature.



Several studies have attempted to demonstrate the correlation between the process of democratisation and gender equality. It is argued that one of the barriers to women's political representation, and establishing gender equality, lies in the cultural attitudes of society, including the belief that men are better than women in politics. The necessary cultural change is thought to be associated with the process of modernisation, in which economic development has transformed the gender role and proliferated democratic institutions within society.

However, women must not be complacent about modernisation and economic development being on our side and must not assume that they will bring promising changes for gender equality over time naturally. Women's enfranchisement at its early stages did not come freely but with the determination and political struggles of the suffrage campaigners. The processes of modernisation and economic development served as the catalysts to expedite the cultural changes within societies that led to the acceptance of women as active political participants. Accordingly, for women to realise the Commonwealth's 30% target in the near future, they will have to strategize politically.

Voting rights are beneficial to gender equality in that elections allow citizens to advance their various interests and hold the government to account. In this regard, two relevant causal mechanisms² that would produce gender equality through democracy are mobilisation and electoral accountability. The pioneering women's suffrage campaigners knew very well that the act of mobilisation to make their voices heard is vital to their political influence. Furthermore, electoral accountability provides the platform for women to voice their interests and pursue their agenda. In contrast, without voting rights, the agenda for women might be neglected and gender equality may be left out of the mainstream nation-building.

Elections can be very purposeful in promoting gender equality. Women's increased participation in elections has correlated with increased government spending on social welfare. Furthermore, elected women can influence policies such as the arrangement of childcare in the workplace, government subsidies of childcare and parental leave.

The achievements that women have gained in politics today, whilst still very much being discussed, demonstrate that women are better off since they first obtained voting rights, over a century ago. Gender equality clearly cannot be achieved overnight and there is a long process to enhance the capabilities, offer more opportunities, and increase empowerment for women. This long-term process will also involve the inculcation of values that appreciate women and regard them in the same way that men are respected. The cultural change, as detailed earlier, is indeed applicable to both men and women. Most importantly, the theory of false consciousness or female consciousness among women, regarding their traditional gender role, must be addressed. Otherwise, the ultimate goal for gender equality might not be achievable due to reluctance and resistance from women themselves.

In our own history of Malaysia's women in politics, from the early days of pre-Independence in 1955, when the first federal election was held, stretching until the first general election post-Independence



Image: Commonwealth Secretariat

in 1959, women were entrenched in the political participation of the country. Not only were women granted equal voting rights, three prominent women leaders during that period were also elected into the first Parliament in 1959.

One of them was Khadijah Sidek³ who was then chief of the women's wing of the UMNO, well known for her radical stance and demands for more women being appointed to the party's leadership and to contest the elections.

Equally, the first woman elected to the UK House of Commons, Constance Markievicz was elected in 1918, the same year that 8.7 million women in the UK were given the right to vote for the first time. What fascinated most was that the victory came when she was still imprisoned due to her political activism and she did not take her seat in the UK Parliament, although she later took her seat in the Irish Parliament (Dail Eireann).

The example of these two elected women does not allow us to merely reminisce on the past achievements of our predecessors, but also to illustrate the need for continuous and better strategies to mainstream gender equality into the nation-building agenda.

Women's enfranchisement, as part of the intergenerational cultural change that we had envisaged, has brought women from the periphery to a more central position and if we further strive for the target of gender equality both in Parliament and political life then gender equality is something that is within striking distance.

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A CONNECTED COMMONWEALTH AND THE IMPACT OF CLIMATE CHANGE

View from the CPA Small Branches Chairperson

As we marked Commonwealth Day 2019 and this year's theme of 'A *Connected Commonwealth*', we also examined the vital role of youth in combatting climate change through political participation. I had the opportunity to speak to a group of young people in London on the very important topic of climate change.

In October 2018, the Intergovernmental Panel on Climate Change (IPCC) released its latest report which warned us that we only have 12 years left to act for global warming to be kept to a maximum of 1.5°C. Beyond this temperature, the report says, even half a degree will significantly increase the risks of drought, floods, extreme heat and poverty for hundreds of millions of people. However, the urgent and unprecedented changes we need to implement to prevent this rise in temperature are affordable and feasible.

As the Speaker of the Parliament of Malta, a small island nation in the Mediterranean Sea, we are adversely affected by climate change – however it is a global challenge, which means that we all can make a difference to tackle it.

In Malta, we changed the main source of energy of our power stations which were dependent on coal and heavy fuels within the period



**Hon. Angelo Farrugia,
MP, Chairperson of the
CPA Small Branches and
Speaker of the House of
Representatives of the
Parliament of Malta.**

“In the area of climate change, the CPA focuses on the role Parliamentarians can assume to ensure that governments adhere to their international commitments and enable national action plans to mitigate against climate change.

The CPA furthermore takes into account that Parliamentarians are the ones who see how legislation is implemented on the ground and those who can ensure that climate change is mainstreamed across all areas of government.”

of three years to clean gas production. The station is now powered by up to 75% clean energy. Malta subsequently presented a report to the European Union on how the country deals with the challenges defined in the Paris Agreement, which was endorsed by all the European Environmental Ministers. Consequently, they agreed to meet the challenges by 2025, 2030 and 2040, respectively.

Everyone can lead by example – even small states. I dare to say, *especially* small states, given that they can organise themselves much more flexibly, being small.

However, we all know that if we cannot involve and inspire others, we will not be able to succeed as a global community to mitigate the threat of climate change. The urgency of the issue, however, can be seen as an unprecedented opportunity to move nations closer together and unite them in a common endeavour.

As nations of the Commonwealth, we belong to a much bigger framework than just our individual nations. For some people, the Commonwealth might only have historic value. But let me tell you, it is much more than that.

What has the Commonwealth done so far to mitigate against climate change? And how can we, the citizens of the Commonwealth, ensure that these commitments are adhered to and that our targets are constantly evolving and adapting to the goals we need to have in place to ensure the health of our planet?

Firstly, as the Speaker of a small member state of the Commonwealth, I am proud to say that the Commonwealth has long been a great source of support to its small member states through global advocacy on a policy level. From the *Commonwealth Langkawi Declaration on the Environment* in 1989 to the 2015 Climate commitment by leaders in my own country, Malta, the Commonwealth has intervened to strengthen the voice of Small States and unite its members to address the existential threat of climate change.

As Small States, we also share this knowledge amongst ourselves: Mauritius, for example, shared valuable marine protection know-how with other Commonwealth countries, using the Commonwealth Blue Charter as a platform to exchange best practice. As one of the 'champion' countries of the Commonwealth Blue Charter, adopted by 53 countries in April 2018, it co-leads an action group on coral reef restoration along with Australia and Belize. The Commonwealth Blue Charter is an agreement by all 53 Commonwealth countries to actively co-operate to solve ocean-related problems and meet commitments for sustainable ocean development.

While the Commonwealth Secretariat works with governments, the Commonwealth Parliamentary Association (CPA) is the Commonwealth body which focuses on strengthening the institution of Parliament,



individual Parliamentarians and the development of parliamentary staff.

In the area of climate change, the CPA focuses on the role Parliamentarians can assume to ensure that governments adhere to their international commitments and enable national action plans to mitigate against climate change. The CPA furthermore takes into account that Parliamentarians are the ones who see how legislation is implemented on the ground and those who can ensure that climate change is mainstreamed across all areas of government.

As Chairperson of the Small Branches of the Commonwealth Parliamentary Association, I am proud to say that the CPA has always had a pioneering role in equipping Parliamentarians to deal with the challenges of climate change. In doing this, the CPA has been generously assisted in this work with our many partners, including the Commonwealth Secretariat, the World Bank, and the United Nations Environment Programme (UNEP).

Representatives of the CPA's Small Branches met in October 2018 in Nairobi, Kenya at the United Nations Environment Programme Headquarters to discuss what Parliamentarians can do to mitigate against the effects of climate change. Most people now realise that Small States suffer most of the effects of the bigger polluters but how, then, can we be proactive in this field given our size and our limited emissions?

When we discussed these matters with the UN Environment Programme, it became clear that Small Branches are the perfect environments to trial new technologies to cope with the challenge and this means that Small States can serve as role models to the international community in the field of climate change.

I would also like to mention a Commonwealth initiative that my own country is hosting: the Commonwealth Small States Centre of Excellence. The Centre is a predominantly web-based entity established to support and provide capacity-building programmes to Small States in their attainment of national and international development goals. The Centre is a joint initiative of the Government of Malta and the Commonwealth Secretariat. The priority areas of the Centre for Small States' development include natural disaster management and mitigation and ocean governance.

So, where do young people come in in all of this?

We need to encourage young people to think about the environment and to identify what their own country could do better. Young people can look around and then reach out to their own Parliamentarians to share their concerns and to exert influence on decision makers. While we need the necessary systemic actions, we also should not underestimate the power of the individual.

As a politician, I partly agree that rules and regulations are important to give our initiatives the right incentives and framework. In fact, we



Image: Commonwealth Secretariat

have to continually adapt legislation and work together to tackle climate change. However, what we forget when we look at the bigger picture is that we all have the power individually to achieve lasting change by being a role model for others and to inspire our peers.

As many people will know, Greta Thunberg, a 16 year old Swedish political activist, has become a prominent figure for starting the first school strike for climate outside the Swedish Parliament building. In December 2018, she addressed the United Nations Climate Change Conference and has travelled to address groups in many different countries.

Holding us politicians to account is what we expect from our youth. In the same vein, this is not the only way of engaging in saving our planet. We can also inspire by taking individual, powerful actions in our daily lives. These actions range from buying appliances that are more energy efficient, switching to green electricity to using public transport instead of driving.

These things might seem small on the surface. However, if we take them up ourselves and inspire others to the same, we can have a big impact together. We as politicians can provide incentives to support the choices we make, such as tax cuts for renewable heating systems and green energy.

We, the politicians, need young people as much as they need us to create lasting change; it is our collective responsibility. The only difference is that young people have higher stakes in this endeavour, since they are going to live longer and see more of the consequences of the lack of actions we are not taking today. Taking individual action whilst acknowledging our joint responsibility is the key to success.

As I said to my fellow Parliamentarians in Nairobi last year, the case for action is not something we can hold off or debate. As the former UN Secretary-General, Ban Ki-moon, said: *"There is no plan B because there is no planet B."* The time for action is now.

This article is based on the keynote address given by the CPA Small Branches Chairperson to young people at the CPA Headquarters Secretariat Programme for Commonwealth Day 2019 in London, UK.



THE COMMONWEALTH AND ITS RESILIENCE IN THE 21ST CENTURY

View from the 7th CPA Secretary-General

The modern Commonwealth came into being 70 years ago with the London Declaration, signed on 26 April 1949. Across the Commonwealth, many organisations, including the Commonwealth Parliamentary Association, are celebrating the 70th anniversary with a series of events throughout the year as well as reflecting on the role of the Commonwealth today.

The Commonwealth's mandate, as set out in the 1949 London Declaration, established the main purpose of the 'modern' Commonwealth as an association 'united as free and equal members of the Commonwealth of Nations, freely co-operating in the pursuit of peace, liberty and progress.'

As we look back over the last 70 years, we can reflect on how the Commonwealth has positively delivered according to this statement of purpose. There are three key ways in which the Commonwealth delivers on its objectives as set out under the Commonwealth Charter.

Undoubtedly, the Commonwealth has played a key role in many global issues in the last 70 years. The Commonwealth played a crucial role in ending apartheid in Southern Africa and was able to bridge the north and south divide.

The Commonwealth has been a key interlocutor and negotiator



Mr Akbar Khan
Secretary-General of
the Commonwealth
Parliamentary Association

for Small Island Developing States (SIDS) which are vulnerable to climate change and high indebtedness; the Commonwealth has also pioneered the science of support for small states through The Commonwealth Small States Centre of Excellence in Malta, the CPA's network for Small Branches and the Commonwealth's 'resilience index' for small states.

The Commonwealth has been a key hub and incubator for innovation and the exchange and sharing of ideas and best practice in the promotion of democracy and development. This has taken place through many initiatives including election monitoring and observation where the Commonwealth is world-leading.

The Commonwealth has also been at the forefront in the provision of technical assistance programmes and toolkits with the Commonwealth Parliamentary

Association leading the way. In 2006, the CPA developed the principal tool for the institutional strengthening of Commonwealth Parliaments and Legislatures, namely, the CPA *Recommended Benchmarks for Democratic Legislatures*, and subsequently, the CPA *Codes of Conduct for Members of Parliament*. These key toolkits are still in use by Commonwealth Parliaments and have set the standard for democracy and development in the parliamentary community.

The CPA was also a partner with other Commonwealth organisations in the development of the *Commonwealth (Latimer House) Principles on the Three Branches of Government* which highlight the importance of the separation of powers between the Legislature, the Executive and the Judiciary to ensure effective governance and democracy. The Ibrahim Index on good governance in Africa shows that some of the highest-ranking countries all have sustainable and democratic institutions at the centre of their societies.

The Commonwealth's diversity and the huge number of organisations and networks within the Commonwealth 'family' has been a key promoter of inclusion of the vulnerable and marginalised in society. The Commonwealth was one of the first international organisations to launch a gender programme for women for example and the Commonwealth Games Federation's promotion of sport in the Commonwealth has been a huge success in bringing together our diverse nations.

The list of the Commonwealth's achievements and deliverables is endless. It is also striking that through its 70 years, the Commonwealth has remained together despite obvious tensions and its enormous diversity – this is something to be enormously proud of given that the Commonwealth is a voluntary association of equals.

In general terms, the Commonwealth has made significant impact on the global community, but the influence and fortunes of the Commonwealth (which include all of the Accredited and Associated Organisations) has 'waxed and waned' through the decades as a reflection of the different

“The Commonwealth’s diversity and the huge number of organisations and networks within the Commonwealth ‘family’ has been a key promoter of inclusion of the vulnerable and marginalised in society.

The list of the Commonwealth’s achievements and deliverables is endless. It is also striking that through its 70 years, the Commonwealth has remained together despite obvious tensions and its enormous diversity – this is something to be enormously proud of given that the Commonwealth is a voluntary association of equals.”



Institute of Commonwealth Studies panel discussion examines the Commonwealth and its resilience in the 21st century

The Secretary-General of the Commonwealth Parliamentary Association, Mr Akbar Khan joined fellow speakers for a panel discussion on the topic of the Commonwealth and its resilience in the 21st century at an event hosted by the Institute of Commonwealth Studies in London. The panellists analysed the resilience of the fifty-three-country association of the Commonwealth and considered what would be necessary to meet the challenges of the 21st century for its member states.

The CPA Secretary-General spoke of the key role that the Commonwealth has played in international affairs including playing a crucial role in ending apartheid; the role of the Commonwealth as an interlocutor for small and vulnerable states in such areas as climate change and reducing high indebtedness; the Commonwealth as a key incubator for innovation and promoting the exchanging and

sharing ideas of best practice in the promotion of democracy and development.

The other panellists were: Sir Peter Marshall, former Deputy Secretary-General (Economic) at the Commonwealth Secretariat and Dr Dwayne Menezes, former adviser to Commonwealth Secretary-General Kamalesh Sharma and Director of several think-tanks. The panel discussion was chaired by Dr Sue Onslow, Deputy Director of the Institute of Commonwealth Studies.



agendas of the Commonwealth Secretaries-General. This is also a reflection of the limited resources and global changes that have impacted on the need for the Commonwealth to navigate and find its relevance and place in an ever-changing global landscape. This has however been a recurring theme throughout the history of the Commonwealth.

It is disappointing that the impact of the Commonwealth remains somewhat mixed with many of its 2.4 billion citizens largely unaware of the valuable work that the Commonwealth has been doing with limited resources. With a young population – nearly 60% of the Commonwealth is aged under 30 – and the changing demands of the ‘social media’ generation, the Commonwealth needs to reflect on its impact and engage further – otherwise it will risk being left behind by the international community.

Engaging young people, who were mostly born in the post-independence era, has been a key focus of the Commonwealth Parliamentary Association and the CPA Roadshows for Schools and Universities has reached over 10,000 students and shows young people both the values of the Commonwealth, through the Commonwealth Charter, and how the Commonwealth can connect young people across the world.

So, looking to future can the Commonwealth continue to deliver and remain resilient in the 21st century?

The Commonwealth will continue to endure as it has shown that it has the capacity to reinvent itself through the decades. The Commonwealth can realise its potential as a global and visionary leader. It can be an agent of change for the world.

There are further opportunities for the Commonwealth to fill the ‘gaps’ left behind by the bigger global institutional players and pursue its role as a champion for small states. The Commonwealth’s role as an incubator of ideas and showing its ‘added-value’ mean that it is often more resilient than other organisations to the turmoil taking place across the world.

One of the strengths of the Commonwealth as a global leader is that it is a values-based global community and emphasis should be placed on the renewal of its member countries’ commitment to its values in the future.

In a world in which the international rules-based system is breaking down and new polarities are emerging, the Commonwealth, as a vibrant and diverse organisation and a network based on values, is well placed to step up and usher in a new period of values-driven policy making that creates a decent and civilised society for all, playing to its strengths of promoting democracy and development for the benefit of all its citizens.

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

This article is based on remarks made by the CPA Secretary-General at a roundtable panel discussion on ‘The Commonwealth and resilience in the 21st century’ hosted by The Institute of Commonwealth Studies and the School of Advanced Studies at the University of London in April 2019.

Commonwealth Parliamentary Association

CPA Photo Gallery



Left: The Chairperson of the Commonwealth Parliamentary Association, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon together with the

CPA Secretary-General, Mr Akbar Khan received Hon. Ted Arnott, MPP, Speaker of the Legislative Assembly of Ontario in Canada and Mr Trevor Day, Deputy Clerk of the Legislative Assembly of Ontario at the CPA Headquarters Secretariat in London, UK to discuss the CPA's work in the Canada Region in parliamentary strengthening. The Speaker and Clerk of the Legislative Assembly of Ontario were visiting the Parliament of the United Kingdom for a programme of exchange meetings.

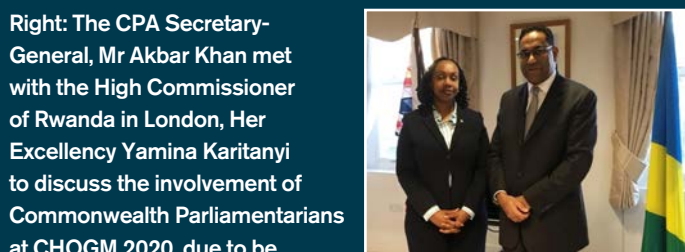


Above: The CPA Secretary-General, Mr Akbar Khan spoke about the work of the CPA in promoting parliamentary strengthening and inclusive democracy in Commonwealth Parliaments to Mr Uday Nagaraju, Executive President and the team from Global Policy Insights for the recording of a podcast.



Left: The Speaker of the Pakistan National Assembly and CPA Pakistan Branch

President, Hon. Asad Qaiser welcomed a delegation from the CPA UK Branch to Parliament House led by Hon. Naz Shah, MP.



Right: The CPA Secretary-General, Mr Akbar Khan met with the High Commissioner of Rwanda in London, Her Excellency Yamina Karitanyi to discuss the involvement of Commonwealth Parliamentarians at CHOGM 2020, due to be held in Rwanda, to further the Commonwealth goals of sustainable development and democracy.



Left: The Chairperson of the CPA International Executive Committee, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon visits Rt Hon. Justin Muturi, MP, CPA Africa Regional Chairperson and Speaker of the National Assembly of Kenya.

Right: The President of the House of Representatives of the Republic of Cyprus, Hon. Demetris Syllouris met with the CPA Secretary-General in London, United Kingdom to discuss the CPA's work in the Commonwealth and parliamentary strengthening opportunities. The CPA provides programmes for Commonwealth Parliaments and Legislatures, like the House of Representatives in Cyprus, to network and share good practice and innovative work to strengthen the role of Parliament as an institution.



Below left: The Commonwealth Parliamentary Association welcomed Dean Carola Weil of McGill University, School of Continuing Education in Canada to the CPA Headquarters Secretariat in London, UK to

Below: The Parliament of Fiji has elected a new Speaker following the death of the late Hon. Jiko Luveni who died suddenly in December 2018. Hon. Ratu Epeli Nailatikau was elected as the Speaker of the Fiji Parliament in February 2019. The new Speaker is a former President of Fiji and military commander.



meet with Director of Operations, Mr Jarvis Matiya and CPA Consultant, Ms Meenakshi Dhar to discuss the progress of the CPA Fundamentals Programme for Commonwealth Parliamentarians from CPA Small Branches delivered in partnership with McGill University.



Canadian Parliament hosts Commonwealth Parliamentarians for CPA Executive Committee Mid-Year meetings in Ottawa

The Parliament of Canada and CPA Canada Federal Branch has hosted over 30 Commonwealth Speakers and Members of Parliament for the Mid-Year meetings of the Executive Committee of the Commonwealth Parliamentary Association (CPA) from 11 to 15 April 2019. Members of Parliament representing the nine regions of the CPA – Africa; Asia; Australia; British Islands & Mediterranean; Canada; Caribbean, Americas & Atlantic; India; Pacific; and South East Asia – attended the CPA Executive Committee, the governing body of the Association. The CPA meetings enable Commonwealth Parliamentarians to reach beyond their own Parliaments to contribute in a global setting to the development of best parliamentary practices and the most effective policies for parliamentary strengthening.

The CPA Executive Committee meetings took place at the Wellington Building at the Parliament of Canada in Ottawa, Ontario, Canada. The CPA Canada Federal Branch's hosting of the CPA International Executive Committee demonstrates its commitment to parliamentary democracy and the work of the CPA as an active Branch. The Chairperson of the CPA Executive Committee, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly



of Cameroon chaired the meetings in Ottawa, Canada and said: "I would like, on behalf of Members of the CPA International Executive Committee, to thank the Parliament of Canada and the CPA Canada Federal Branch for hosting this meeting in Ottawa and for their unwavering support to the CPA."

Members of the CPA Executive Committee were welcomed to the Parliament of Canada by Hon. Yasmin Ratansi, MP, Chair of the

CPA Canada Federal Branch. A meeting of the CPA Regional Secretaries also took place at the Parliament of Canada. The CPA President Designate, Rt Hon. Rebecca Kadaga, MP, Speaker of the Parliament of Uganda was represented by Hon. Jalia Ngozi Bintu Lukumu Abwooli, MP and Hon. Elijah Okupa, MP from Uganda who gave Members an update on the preparations for the 64th Commonwealth Parliamentary Conference which will be hosted by the CPA Uganda Branch and the Parliament of Uganda from 22 to 29 September 2019 in Kampala on the conference theme of: 'Adaptation, engagement, and evolution of Parliaments in a rapidly changing Commonwealth'.

The CPA Vice-Chairperson, Hon. Alexandra Mendes, MP (Canada Federal); the CPA Treasurer, Mrs Vicki Dunne, MLA, Deputy Speaker of the Legislative Assembly of the Australian Capital Territory; the CPA Small Branches Chairperson, Hon. Angelo Farrugia MP, Speaker of the House of Representatives, Malta; and the Commonwealth Women Parliamentarians (CWP) Chairperson, Hon. Dr Dato' Noraini Ahmad, MP (Malaysia) also attended the meetings along with the CPA Secretary-General, Mr Akbar Khan and staff from the CPA Headquarters Secretariat.

The CPA Canada Federal Branch was thanked by the CPA Secretary-General, Mr Akbar Khan for hosting Members for the CPA Executive Committee and CPA Canadian Branch Secretary, Mr Rémi Bourgault accepted a commemorative plaque on behalf of the Branch.



Preparations begin ahead of the 64th Commonwealth Parliamentary Conference hosted by the Parliament of Uganda and CPA Uganda Branch

Preparations have begun for one of largest annual gatherings of Commonwealth Parliamentarians at the 64th Commonwealth Parliamentary Conference (CPC) hosted by the CPA Uganda Branch and the Parliament of Uganda in September. The annual flagship event will bring together over 500 Parliamentarians, parliamentary staff and decision makers from across the Commonwealth for this unique conference and networking opportunity. The CPC offers the prospect of the coming together of the CPA's global membership to address the critical issues facing today's Parliaments.

Ahead of the 64th CPC due to be held in September this year, the Chairperson of the Commonwealth Parliamentary Association (CPA), Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon visited Uganda to invite His Excellency Yoweri K. Museveni, the President of the Republic of Uganda to become the Vice-Patron of the CPA for this year. Since 1989, the Vice-Patron of the Commonwealth Parliamentary Association has traditionally been the Head of State or Government of the CPA Branch hosting the forthcoming annual Commonwealth Parliamentary Conference.

The CPA Chairperson also met with the CPA President Designate (2018-2019), Rt Hon. Rebecca Kadaga, MP, Speaker of the Uganda Parliament who will host the 64th CPC conference from 22 to 29 September 2019 in Kampala on the conference theme of: *'Adaptation, engagement and evolution of Parliaments in a rapidly changing Commonwealth'*.

During a separate planning visit, the CPA Secretary-General, Mr Akbar Khan and CPA Director of Operations, Mr Jarvis Matiya also visited the Parliament of Uganda for a series of pre-conference meetings with the CPA President Designate, Members of the Parliament of Uganda and parliamentary staff.



During the 64th Commonwealth Parliamentary Conference, there will also be a number of additional conferences and meetings including: 37th CPA Small Branches Conference; 6th triennial Commonwealth Women Parliamentarians (CWP) Conference; 64th CPA General Assembly; meetings of the CPA Executive Committee; and the Society-of-Clerks-at-the-Table (SOCATT) meetings.

Visit www.cpahq.org/cpahq/cpc2019 for further information.

Uganda Youth Conference urges increased participation of young people in politics

Over 200 youth participants from ten countries in Africa called for increased youth participation in politics at a landmark Commonwealth Partnership for Democracy (CP4D) conference in Uganda from 4 to 5 March 2019. Only five African countries are in the top twenty in the world for the number of Parliamentarians under the age of 30, despite 60% of the Commonwealth's 2.4 billion population being under 30 years of age.

The CPA President Designate, Rt Hon. Rebecca Kadaga, MP, Speaker of the Parliament of Uganda welcomed youth delegates to the conference and committed to asking the Uganda Parliament to review the current nomination costs for election to Parliament which is one of the main barriers to youth participation.

The Chair of the Uganda National Youth Council, Lillian Aber said that the high entry costs were one of the main issues discouraging young people from participating in the formal political process. Conference delegates also raised the issues of access to politicians and policy makers, and the need for more research to support their advocacy efforts as key issues affecting young people.



The two-day conference was organised under the Commonwealth Partnership for Democracy (CP4D) project, led by the Westminster Foundation for Democracy in partnership with the Commonwealth Parliamentary Association, CPA UK Branch and the Commonwealth Local Government Forum (CLGF) which will work with Parliaments across the Commonwealth to improve the representation of young people and increase youth engagement in the democratic process.



Celebrations for the 70th anniversary of the modern Commonwealth in 2019

The modern Commonwealth came into being 70 years ago with the London Declaration, signed on 26 April 1949. Across the Commonwealth, many organisations, including the Commonwealth Parliamentary Association, are celebrating the 70th anniversary with a series of events throughout the year.

Pre-1949

The origins of the Commonwealth stretch back much further than 70 years, but the signing of the London Declaration in 1949 marks the point at which the legacy of the British Empire was replaced with a partnership of equal member countries sharing a set of principles and values. The Balfour Declaration of 1926 had established all members as *'equal in status to one another, in no way subordinate one to another'*, and this was in turn adopted into law with the 1931 Statute of Westminster.

The Commonwealth Parliamentary Association emerged from the Empire Parliamentary Association, which had been founded in 1911. The Commonwealth Parliamentary Association was re-established at a conference in London in October 1948, several months ahead of the London Declaration on 26 April 1949 when its new name was adopted.

However, it was India's desire to adopt a republican form of constitution while simultaneously retaining its link with the Commonwealth that prompted a radical reconsideration of the terms of the association of the Commonwealth.

The 1949 London Declaration

Addressing the issue over six days in London were heads of government from Australia, Great Britain, Ceylon (now Sri Lanka), India, New Zealand, Pakistan and South Africa plus Canada's Secretary of State for External Affairs. The final communiqué was both innovative and bold. It stated that the Crown was to be recognised as 'the symbol' of the Commonwealth. Thus, India could remove King George VI as their head of state but recognise him as the head of the 'modern' Commonwealth. The Declaration also emphasised the freedom and equality of its members not just in their relationship to the Head of the Commonwealth but also as a *'free association of [...] independent nations' but also in their cooperative 'pursuit of peace, liberty and progress'*. It was also at this time that the prefix British was dropped from the title of the Commonwealth.

Image: Commonwealth Secretariat



Commonwealth at 70

In the 70 years since this reformulation of the Commonwealth, the relevance and value of the relationship has been reaffirmed and consolidated. The creation of the Commonwealth Secretariat in 1965 and the ever-expanding number of professional and advocacy Commonwealth organisations reflect this relevance. Most significant is the expansion of Commonwealth membership from eight countries in 1949 to 53 countries in 2019 with over 2.4 billion people – meaning 33% of people on the planet belong to the Commonwealth, with representation on every continent.

For the Commonwealth Parliamentary Association (CPA), its membership expanded across the CPA's nine Regions and to over 180 Branches including national, state, provincial and territorial Parliaments. The Commonwealth Parliamentary Association, now in its 108th year, exists to develop, promote and support Parliamentarians and their staff to identify benchmarks of good governance and to implement the enduring values of the Commonwealth.

In her 2019 Commonwealth Day message, Her Majesty Queen Elizabeth II, Head of the Commonwealth and Patron of the Commonwealth Parliamentary Association (CPA) said: *"Commonwealth Day has a special significance this year as we mark the 70th anniversary of the London Declaration, when nations of the Commonwealth agreed to move forward together as free and equal members. The vision and sense of connection that inspired the signatories has stood the test of time, and the Commonwealth continues to grow, adapting to address contemporary needs. Today, many millions of people around the world are drawn together because of the collective values shared by the Commonwealth."*

On the Commonwealth at 70 anniversary, the Secretary-General of the CPA, Mr Akbar Khan said: *"The 70th anniversary of the modern Commonwealth provides us with the opportunity to reflect on what the Commonwealth means to us and our communities and shows us that the Commonwealth can play a vital role in ensuring a better future for all, today and for future generations."*

CPA Chairperson commends Parliament of Tanzania for gender equality gains

The Chairperson of the Commonwealth Parliamentary Association (CPA), Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon addressed the Parliament of Tanzania and commended the Parliament for its gains in gender equality by achieving 36.7% women Members of Parliament during a parliamentary visit from 3 to 5 April 2019. The current Commonwealth target is to achieve over 30% women MPs.

The CPA Chairperson said in a speech to the Members of the National Assembly of Tanzania in the Msekwa Hall: *"I am particularly proud of the fact that over a third of the Parliamentarians – 36.7% – elected into the Parliament of Tanzania are women. This means that you are doing better than 166 other Parliaments in the world in women's representation. This is something for you to be very proud of."* Please visit www.cpahq.org/cpahq/chairspeeches for the Chairperson's speeches in full.

The CPA Chairperson was received by the Speaker of the National Assembly of Tanzania and CPA Tanzania Branch President, Rt Hon. Job Yustino Ndugai, MP and Deputy Speaker, Hon. Dr Tulia Ackson, MP at the main Parliament building. The National Assembly of Tanzania and the President of the United Republic make up the Parliament of Tanzania. The current Speaker of the National Assembly presides over a unicameral National Assembly of 393 Members.

The CPA Chairperson paid a courtesy call on the Prime Minister of the United Republic of Tanzania and Patron of the CPA Tanzania Branch, Hon. Kassim Majaliwa Majaliwa, MP during her visit.

During an extensive programme in Tanzania, the CPA Chairperson also met with Mr Stephen Kagaigai, the Clerk of the National Assembly of Tanzania and the CPA Africa Regional Secretary; met with the Executive Committee of the CPA Tanzania Branch; and met with the Tanzania Women Parliamentarians Group (TWPG) Executive



Committee. The CPA Chairperson also visited the University of Dodoma (UDOM) where she met with the Vice Chancellor.

The CPA Chairperson recognised in Parliament that the late Secretary-General (2007 to 2014) of the Commonwealth Parliamentary Association, Dr William Shija, was a Member of the National Assembly of Tanzania from 1990 to 2005.

The CPA Chairperson's visit to the Parliament of Tanzania coincided with visits by the Speaker of the Egypt House of Representatives, Hon. Dr Ali Abdel Aal and the President of the Senate of Burundi, Lieutenant Reverien Ndikuriyo.

Images of the CPA Tanzania Branch visit at www.cpahq.org/cpahq/flickr.

CPA Canada Branch visit CPA Pacific Region on visit to New Zealand and Samoa

The CPA Canada Federal Branch Chairperson, Hon. Yasmin Ratansi, MP led a delegation of Members of Parliament including Senator Hon. Vernon White; Hon. Richard Cannings, MP; Hon. Sukh Dhaliwal, MP; and Mr Rémi Bourgault, Executive Secretary of the CPA Canada Federal Branch on a bilateral visit to New Zealand and Samoa.

In New Zealand, the CPA Canada Federal delegation marked International Women's Day 2019 by meeting with Commonwealth Women Parliamentarians (CWP) in the New Zealand Parliament to discuss the success of their multi-party women's caucus and to exchange ideas around gender equity. The Canadian delegation visited the New Zealand House of Representatives and met with Members of the Environment, Foreign Affairs, Defence and Trade, and Finance and Expenditure Parliamentary Committees as well as meeting with the New Zealand Minister of Justice to discuss the government's approach to reconciliation.

During their second day in New Zealand, the CPA Canada delegation met with the Speaker of the House of Representatives, Hon. Trevor Mallard, MP and with Hon. Clayton Mitchell, MP, one of the CPA Pacific Region's representatives on the CPA International Executive Committee.

In Samoa, the CPA Canada delegation visited the new Chamber of Parliament and met with the Deputy Speaker, Hon. Nafō'itoa



Talaimanu Ketī, MP to discuss the challenges to parliamentary democracy faced by the Parliament. The CPA Canada delegation went on to meet the Acting Prime Minister of Samoa, Fiamē Naomi Mataafa to discuss various issues including the representation of women in Parliament, climate change and the environment.

The delegation also visited a number of community projects funded through the Government of Canada's overseas Canadian Fund.



'Interparliamentary relations in the Commonwealth will endure, despite Brexit' **says CPA Secretary-General at 'Brexit' seminar in Gibraltar**

The Secretary-General of the Commonwealth Parliamentary Association, Mr Akbar Khan has stressed that the CPA will continue to deliver on its mandate of promoting parliamentary democracy, strengthening the institution of Parliament and upskilling Parliamentarians in the Commonwealth, despite 'Brexit' in the United Kingdom. The CPA Secretary-General emphasised in a speech in Gibraltar that the CPA's activities focus on, and are informed by, the Commonwealth's commitments to its fundamental political values, including: good parliamentary practice, regulated governments, protection of human rights and the rule of law, equal rights and representation for all citizens of all genders, the separation of powers among the three branches of government and the right to participate in free and democratic political processes.

The CPA has a unique position in working with Parliaments and Legislatures at the national, state, provincial and territorial level such as the Parliament of Gibraltar. In such challenging circumstances as Brexit, the CPA offers its membership the opportunity to share best practices through its peer-to-peer learning network to find common solutions to global problems. The CPA Secretary-General was speaking at a seminar in Gibraltar titled *'Changing times: Brexit, the Commonwealth and opportunities for Gibraltar'*. The seminar was hosted by the Government of Gibraltar and the Royal Commonwealth Society and was led by Hon. Dr Joseph Garcia, MP, Deputy Chief Minister of Gibraltar.

Commenting on the seminar, Hon. Dr Joseph Garcia said: *"Gibraltar is proud of its association with the different organisations of the Commonwealth. We share the same values, we share the same traditions and the same outlook across a number of areas. The principles of democracy, of self-determination, and the defence*



of human rights are important to us all. The policy of the Government is to increase our level of engagement with the Commonwealth and this seminar is part of that approach."

Gibraltar is a member of the Commonwealth Parliamentary Association, the Commonwealth Telecommunications Organisation, participates in the Commonwealth Games, the Commonwealth Youth Parliament, the Commonwealth Local Government Association, the Commonwealth Youth Forum, Women's Forum and People's Forum and has also joined the Commonwealth Enterprise and Investment Council.

The seminar panel also included Lord Marland, Chairman of the Commonwealth Enterprise and Investment Council; Hon. Alexander Downer, AC, former Australian Foreign Minister and Australian High Commissioner to the UK; and Jared Peralta, Gibraltar representative at the Commonwealth Youth Forum 2018.

The CPA Secretary-General was paying his first official visit to Gibraltar which included a tour of the Parliament of Gibraltar and meetings with Members of the CPA Gibraltar Branch. The CPA Secretary-General met the Speaker of Gibraltar's Parliament, Hon. Adolfo J. Canepa, CMG, GMH, OBE, MP and the Honorary Secretary of the Branch, Mr Paul Martinez. The CPA Gibraltar Branch is active in the Association and hosted the successful 47th CPA British Islands and Mediterranean Regional Conference in 2017.



CPA Secretary-General chairs launch event for new ParliREACH report on race and culture

The Secretary-General of the Commonwealth Parliamentary Association (CPA), Mr Akbar Khan, in his capacity as ParliREACH Champion for Diversity and Cultural Heritage, chaired a panel discussion at the launch event for the ParliREACH report *'Stand in My Shoes: Race and Culture in Parliament'* at the Parliament of the United Kingdom.

The report summarises the experiences of Black, Asian and Ethnic Minority (BAME) staff in the UK Parliament and the panel discussion was led by panelists, including: Imran Khan, QC; Professor Binna Kandola; Dr John Benger, Clerk of the UK House of Commons; and Ed Ollard, Clerk of the Parliaments (UK House of Lords). ParliREACH is a Workplace Equality Network (WEN) at the UK Parliament in support of increasing awareness and appreciation of race, ethnicity and cultural heritage issues.



Importance of separation of powers to ensure effective governance and democratic principles highlighted at 21st Commonwealth Law Conference in Zambia

Hon. Shirley Osborne, MLA, Speaker of the Legislative Assembly of Montserrat, representing the Commonwealth Parliamentary Association (CPA), highlighted the importance of the separation of powers between the Legislature, the Executive and the Judiciary to ensure effective governance and democracy at a workshop session at the 21st Commonwealth Law Conference in Livingstone, Zambia. Speaker Osborne highlighted the key role that the CPA has played in the establishment of the Commonwealth Latimer House Principles on the Separation of Powers and the CPA's Recommended Benchmarks for Democratic Legislatures which provide valuable tools for Parliaments and Governments to ensure accountable and effective democracies.

The Speaker of Montserrat represented the CPA at a panel discussion titled '*Latimer House Principles – Two Decades On*' at the Commonwealth Law Conference and spoke alongside Dr Peter Slinn, Vice-President of the Commonwealth Legal Education Association and a member of the Executive Committee of the Commonwealth Lawyers Association; Justice Graeme Mew (Canada) and Hon. Marlene Malahoo Forte, MP, QC, JP, Attorney-General of Jamaica. Panellists examined the role of the separation of powers in the Commonwealth today and its effectiveness in providing democratic governance.

During the panel discussion, Speaker Osborne also spoke about power and the role of the Commonwealth Women Parliamentarians (CWP) in advocating for greater equality for women in the various branches of government and about political violence against women that both prevents women from acceding to the positions of leadership and deprives both Parliaments and governments of women's contributions. Speaker Osborne called for a cultural shift about the definitions of power, the expectations on the government and the

quality of political leaders to ensure that we have leaders who adhere to the Commonwealth Latimer House Principles as well as the basic tenets of democracy and equality.

The CPA was a partner in the establishment of the original Commonwealth Latimer House Principles on the Separation of Powers, adopted in 2003, together with Commonwealth partners: Commonwealth Lawyers Association, Commonwealth Magistrates and Judges Association (CMJA), Commonwealth Legal Education Association and the Commonwealth Secretariat.

The 21st Commonwealth Law Conference was held for the first time in Zambia from 8 to 12 April 2019 and was hosted by the Commonwealth Lawyers Association along with the Law Association of Zambia on the main theme of '*The Rule of Law in Retreat? Challenges for the Modern Commonwealth*'. The conference brought together law professionals of all levels from across the Commonwealth to share their experiences and to promote the rule of law. The 21st Commonwealth Law Conference was opened by His Excellency Edgar Lungu, the President of Zambia and keynote addresses were given by Rt Hon. Lord Burnett of Maldon, Lord Chief Justice of England and Wales; Rt Hon. Patricia Scotland, QC, Commonwealth Secretary-General; and Senator Sekai Holland, former Zimbabwean Co-Minister of State for National Healing, Reconciliation and Integration.

To access the Commonwealth Latimer House Principles please visit www.cpahq.org/cpahq/latimerhouse.



Commonwealth Parliamentarians at 2019 Annual Parliamentary Hearing at the UN

Commonwealth Parliamentarians from across the membership of the Commonwealth Parliamentary Association (CPA) attended the 2019 Annual IPU Parliamentary Hearing at the United Nations from 21 to 22 Feb 2019 in New York, United States of America on the theme of '*Emerging Challenges to Multilateralism: A Parliamentary Response*'. Commonwealth Parliamentarians attended from: Australia, Bangladesh, Cameroon, Canada, Cyprus, Eswatini, Ghana, Kenya, Malaysia, Namibia, Pakistan, Trinidad and Tobago and the United Kingdom. The parliamentary hearing heard from the President of the Inter-Parliamentary Union, Ms. Gabriela Cuevas Barron (Mexico) and the President of the 73rd Session of the UN General Assembly, Ms. María Fernanda Espinosa Garcés (Ecuador).

The keynote address was given by the Secretary-General of the United Nations, Mr António Guterres who said: "*As a former Parliamentarian, I have felt the heavy responsibility of representing people and trying to advance their aspirations ... Parliaments can be bastions of democracy, and crucial links between the national and the global. Through legislation and spending decisions, Parliamentarians can contribute significantly to the Sustainable Development Goals, to the Agenda 2030 of sustainable development in the world. Yet Parliaments are still largely a sphere dominated by older men. The world needs more women Parliamentarians, and more young Parliamentarians.*"

At the parliamentary hearing, delegates discussed the role of the international community and national governments in contending with global issues such as climate change, migrants and refugees, sustainable development, and nuclear disarmament, amongst others, where no one country can go it alone. Political commitment to international agreements is proving harder to achieve and maintain.



Image: IPU/Joel Sheakoski



New Zealand Speaker hosts CPA Pacific Regional launch of updated CPA Benchmarks for Democratic Legislatures

Rt Hon. Trevor Mallard, Speaker of the New Zealand House of Representatives and CPA New Zealand Branch President has led the CPA Pacific Region launch of the updated CPA Benchmarks for Democratic Legislatures at a meeting held at the New Zealand Parliament. Speaker Trevor Mallard noted that the CPA Benchmarks are an important tool for Parliaments to continuously challenge themselves and identify areas for improvement.

The Commonwealth Parliamentary Association's (CPA) Recommended Benchmarks are a set of guidelines for good governance for Parliaments and Legislatures and these Benchmarks were revised to reflect the changed landscape in which democracies now operate. The updated CPA Benchmarks include measurements for Parliaments to support the implementation of the Sustainable Development Goals (SDGs) and the recommendations contained in the Commonwealth Charter.

The CPA Benchmarks were revised and updated in 2018, with input from representatives from around the Commonwealth, including the Parliament of New Zealand, to better reflect the needs of modern democratic institutions. This is the first update to the Benchmarks since they were originally published in 2006. Covering a comprehensive range of recommendations, the CPA Benchmarks propose guidelines in areas such as elections and candidate eligibility; political parties; parliamentary staff; legislative procedures; financial and budget oversight; transparency and integrity; diversity and gender sensitivity; and freedom of information.

Other speakers at the CPA Benchmarks event included Lord Fakafanua, Speaker of the Tongan Legislative Assembly; former New Zealand Speaker of Parliament, Rt Hon. David Carter, MP;



and the Commonwealth Women Parliamentarians (CWP) Pacific Regional Chair, Anahila Kanongata'a-Suisuiki, MP, who all called on Pacific Parliaments to keep striving for improvement and to champion the use of the CPA Benchmarks.

Speakers from Commonwealth Parliaments around the CPA Pacific Region including the Speaker of the Parliament of Fiji, Hon. Ratu Epeli Nailatikau, MP, were in Wellington to attend the regional launch. As a reflection of the tragic events that occurred in Christchurch the previous week, there was a sombre tone to the occasion, with CPA Pacific Region representatives expressing their condolences on behalf of their Parliaments.

Malaysia Speaker commends the CPA Democratic Benchmarks as a global standard

The Speaker of the Parliament of Malaysia (Dewan Rakyat) Mohamad Ariff Md Yusof has highlighted the importance of the Commonwealth and of the CPA Benchmarks for Democratic Legislatures in the fostering of good governance and democratic institutions. The Speaker said: *"Special mention must be made on the extremely valuable role played by the CPA and its local chapters, to augment the ties between Commonwealth Parliaments. The CPA remains an invaluable source of information and inspiration. We draw support and inspiration from the experiences of other Commonwealth Parliaments, of course, but the work of the CPA in recommending benchmarks for democratic legislatures through the excellent booklet, 'Recommended Benchmarks for Democratic Legislatures', provide us with the necessary focus and direction to re-set our Parliament to be in line with international standards."*

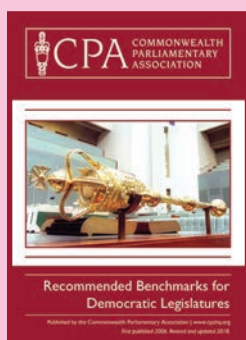
The CPA Headquarters Secretariat is currently implementing activities to encourage Commonwealth Parliaments to strive and uphold a high standard of parliamentary performance. More precisely, the CPA will be utilising the revised and updated CPA Recommended Benchmarks for Democratic Legislatures as a tool to

provide Parliaments across the Commonwealth with assistance to strengthen their capacity to adhere to good governance principles.

Originally published in 2006 but revised and updated in 2018 to bring them in line with the Commonwealth Charter and Sustainable Development Goal (SDG) 16, the purpose of the CPA Benchmarks is to encourage Parliaments and Legislatures to undertake their own self-assessments based on a Commonwealth standard which is specifically designed to help Parliaments identify possible new ways to function more effectively. It was also designed to assist Parliaments to demonstrate their performance, to increase self-awareness and priority areas for development.

The CPA will be offering assessment exercises between 2018-2020 to 18 national Parliaments across four of the CPA Regions: Africa, Asia, India and South-East Asia as part of the #CP4D programme which will help Parliaments adopt and implement the updated CPA Benchmarks that call for inclusive and accountable governance. In addition, the CPA will be working with all of its 180 Member Parliaments who wish to undertake a self-assessment against the CPA Benchmarks.

To access the CPA Benchmarks for Democratic Legislatures please visit www.cpahq.org/cpahq/benchmarks. To find out more about self-assessment against the CPA Benchmarks please email the CPA Headquarters Secretariat via hq.sec@cpahq.org.



Commonwealth Day 2019

CPA Headquarters Secretariat Activities

Commonwealth Parliamentary Association promotes 'A Connected Commonwealth' on Commonwealth Day 2019 and vital role of youth in combatting climate change through political participation

The Commonwealth Parliamentary Association (CPA) has celebrated Commonwealth Day 2019 in London at the CPA Headquarters Secretariat and across the CPA's nine Regions and over 180 Branches. The 2019 Commonwealth Day theme focuses on 'A Connected Commonwealth' which offers opportunities for the people, Parliaments, governments and institutions of the Commonwealth to connect and work together at many levels through far-reaching and deep-rooted networks of friendship and goodwill. Commonwealth Day 2019 also celebrates the 70th anniversary of the 'modern' Commonwealth which was established by the London Declaration on 26 April 1949.*

Her Majesty Queen Elizabeth II, Head of the Commonwealth and Patron of the Commonwealth Parliamentary Association, with members of the Royal Family, attended celebrations in London to mark Commonwealth Day 2019 and attended one of the



largest multi-faith celebration services in Westminster Abbey.

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

together with the **CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP**, Speaker of the Parliament of Malta and the **CPA Secretary-General, Mr Akbar Khan** represented the CPA at the Abbey service. The service was also attended by Commonwealth High Commissioners, the **Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC** and dignitaries from around the Commonwealth

as well as senior politicians and 1,000 school children.

Also attending the Commonwealth Day service were young people from

across the Commonwealth who earlier in the day participated in the CPA Commonwealth Day Youth Programme on the theme of 'The role of youth in combatting climate change through political participation'. The young participants represented the following CPA Branches: Falkland Islands; Gibraltar; Isle of Man; Jersey; Malta; Scotland; St Helena; Wales; United Kingdom; Ontario; Cayman Islands; Trinidad and Tobago; Turks and Caicos; Pakistan; New Zealand; Singapore; Malaysia.

On Commonwealth Day 2019, the Secretary-General of the CPA, Mr Akbar Khan said: "Commonwealth Day provides us with the opportunity to reflect on what the Commonwealth means to us and our communities. The Commonwealth can play a vital role in ensuring a better future for us all, today and for future generations. The 2019 Commonwealth theme of 'A Connected Commonwealth' reminds us that only by working together can we secure a more sustainable, prosperous, fairer and secure Commonwealth for everyone."

The CPA Youth Programme on Commonwealth Day 2019 was opened by the CPA Chairperson, Hon. Emilia Monjowa Lifaka, MP who spoke of the importance of this year's 2019 Commonwealth theme of 'A Connected Commonwealth' for the Commonwealth Parliamentary Association which promotes common goals for CPA Branches and the strengthening of Commonwealth Parliaments to achieve better democracies. The CPA Chairperson emphasised the need for young people to participate in politics in order to have a voice in the democratic process and also the need for all Commonwealth Parliamentarians to listen to young people in their respective jurisdictions to ensure that they represent youth voices.





Images: Commonwealth Secretariat and CPA Headquarters Secretariat.

The CPA Chairperson said: *“Over one billion young people hold the key to unlocking the challenges that we face – beyond our respective borders. The CPA and the Commonwealth Secretariat are truly global organisations.”*

Keynote speaker, the CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP, Speaker of the Parliament of Malta spoke of the importance of tackling climate change for the 53 Commonwealth countries, especially its 31 small and developing states which are often the least polluting but the first casualties of climate change. He said: *“As former UN Secretary-General Ban Ki-moon says, when it comes to climate change, there is no plan B, since we do not have a planet B. Tackling the threats from climate change is a tremendous, unique opportunity in our history to show what humans have done best throughout the centuries: champion innovation and growth.”*

This was followed by a round table discussion on the theme of ‘The role of youth in combatting climate change through political participation’. The round table discussion included a wide range of views on climate change from CPA Commonwealth Day Youth participants and from Commonwealth Parliamentarians who joined the discussion including: Rt Hon. Lord Chidgey, Co-Chair of the UK All-Party Parliamentary Group (APPG) on the Commonwealth and Lord Collins of Highbury, Shadow Minister for Foreign Affairs and International Development. Other guests included James Duddridge, MP, CPA UK Chairperson and Hon. Bodruddoza Md Farhad Hussain, MP (Bangladesh).

During the evening of Commonwealth Day 2019, Hon. Emilia Monjowa Lifaka, MP, Chairperson of the CPA Executive Committee, the CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP, Speaker of the Parliament of Malta and Mr Akbar Khan, CPA Secretary-General together with a small group of the CPA Commonwealth Youth Programme participants attended the Commonwealth Secretary-General’s Commonwealth Day reception at Marlborough House in the presence of HRH The Prince of Wales and HRH The Duchess of Cornwall.



In addition, CPA Branches and Regions across the network of the Commonwealth Parliamentary Association marked Commonwealth Day 2019 in many different ways (*turn to pages 120-125 to read about CPA Branch activities*). Commonwealth Day has been celebrated around the Commonwealth on the second Monday in March every year since the 1970s.

**The Commonwealth Parliamentary Association emerged from the Empire Parliamentary Association, founded in 1911, at a conference in London in October 1948, several months ahead of the London Declaration on 26 April 1949.*



Commonwealth Day 2019

CPA Branch Activities



CPA Pakistan Branch celebrates Commonwealth Day 2019

The Pakistan Institute for Parliamentary Services (PIPS) in collaboration with National Assembly of Pakistan held a special event at its main campus in Islamabad to mark Commonwealth Day 2019 with Members of the CPA Pakistan Branch.

Hon. Dr Fehmida Mirza, MNA, Federal Minister for Inter-Provincial Coordination and CPA Executive Committee Member for the CPA Asia Region spoke of the need for Commonwealth countries to join hands to encourage peace among Commonwealth states. Dr Mirza talked about the role and significance the Commonwealth and that the ultimate objective is to work together to find solutions for problems shared among the member countries. Commonwealth countries aspire to achieve an interconnected world that works in unison to tackle various challenges of human security such as poverty, malnutrition, hunger and disease.

Hon. Andleeb Abbas, MNA, Parliamentary Secretary for Foreign Affairs said at the event that although Commonwealth countries have many different cultures, they all share the Commonwealth values of equality,



justice and democracy that is demonstrated through the CPA. She also encouraged a strengthening of these values for all citizens and recognised that diversity is the hallmark of the Commonwealth.



Mr Zafarullah Khan, Executive Director PIPS noted the significance of Commonwealth as an association of countries which represent a broad spectrum of cultures and societies. Despite the huge diversity, shared history binds all the countries together. This common thread can serve to find common ground to work together.

A Commonwealth Day message from Hon. Asad Qaisar, Speaker of the National Assembly of Pakistan was read by Ms Salma Joveria, Deputy Director (IR) National Assembly of Pakistan and the Commonwealth Day message from Her Majesty Queen Elizabeth II, Head of the Commonwealth was read by Mr Taha Muhammad Khan, student at the School of Law, Bahria University. The event was attended by around 50 participants including faculty and students from Riphah Institute of Public Policy, Air University, Bahria University Islamabad Campus, media representatives and diplomats from Sri Lanka and India.

Commonwealth Day 2019 celebrated in Malta with school students visit to Parliament

Malta's Foreign Affairs Minister, Hon. Carmelo Abela, MP and the Speaker of the House of Representatives, Hon. Angelo Farrugia, MP co-hosted a Commonwealth quiz for secondary school students at the House of Representatives as part of the Commonwealth Day 2019 celebrations held around the Commonwealth on 11 March 2019.

Students heard from the Speaker of the House of Representatives followed by the Minister for Foreign Affairs and then the Shadow Minister for Foreign Affairs, Carmelo Mifsud Bonnici, MP. Around fifty students from St Thomas More College sitting in the main chamber of the Parliament of Malta then participated in a quiz about the Commonwealth and Malta's contribution to this international organisation.

In his address to the students, Minister Carmelo Abela outlined that over 60% of the Commonwealth's aggregate population are aged 30 years or under and said that *"the role of the Commonwealth is to continue providing opportunities for education and training for young people and by engaging young people in the political life of their nations."*

The Foreign Affairs Minister later attended ceremony at St Thomas More College Primary School in Marsaxlokk. The students and their teachers raised the Commonwealth Flag and read out the Queen's Commonwealth Day message as well as the Commonwealth Affirmation. The Foreign Minister addressed the students when he outlined the history of the Commonwealth and explained that through the Commonwealth the various member countries have developed cooperation in order to improve the lives of their citizens.

An annual reception to mark Commonwealth Day for resident High Commissioners of the United Kingdom, Australia, Ghana and India to Malta was also held at Palazzo Parisio hosted by the Ministry of Foreign Affairs.

The Speaker of the House of Representatives, Hon. Angelo Farrugia, MP was also in London on Commonwealth Day 2019 where celebrations to mark the day were organised by the CPA Headquarters Secretariat. The Speaker, as the CPA Small Branches Chairperson, participated as a panellist in the youth round table discussion with the theme of *'The role of youth in combating climate change through political participation'* and attended the Westminster Abbey Service in the presence of Her Majesty Queen Elizabeth II, Head of the Commonwealth and Patron of the Commonwealth Parliamentary Association.



Image: Malta DOL/Pierre Sammut

With thanks to CPA Branches for sharing their Commonwealth Day 2019 news. Several CPA Branches applied for additional bursary funding from the CPA Headquarters Secretariat to assist with their activities this year. For 2020 Commonwealth Day funding applications please email hq.sec@cpahq.org or contact the CPA Headquarters Secretariat for details.

Youth Parliament debates impact of single-use plastics as CPA Cayman Islands Branch marks Commonwealth Day 2019

The CPA Cayman Islands Branch held their successful Youth Parliament for young people on the islands once again to coincide with Commonwealth Day 2019. Young people from high schools and colleges in the Cayman Islands attended the 12th Youth Parliament in the chamber of the Legislative Assembly of the Cayman Islands where they held debates on a number of motions before the House.

Hon. Barbara Conolly, MLA, Ministry of Education representative gave the introductory remarks and noted that the Cayman Islands Youth Parliament had its highest ever turnout – 27 youth representatives – with 16 members of the delegation being young women. Young women at the Youth Parliament also held many of the leadership positions including Premier, Speaker of the House, Deputy Speaker and Deputy Leader of the Opposition. Hon. Barbara Conolly, MLA said: *"As we strive for gender equality in the world, let us commend these young women in the roles they have chosen in this debate. They are entering an exciting period of history where the world expects balance. We notice its absence and celebrate its presence."*

Student Shanell Martinez, as the Speaker of the Youth Parliament, presided over the debate on the floor of the Legislative Assembly where the young people discussed limiting the use of single-use plastics and plastic



bags and the need for implementation of a juvenile detention and youth rehabilitation centre for the Cayman Islands.

Students from John Gray, Clifton Hunter and Prospect primary schools in the



Cayman Islands also filled the public gallery of the Legislative Assembly to hear the debates taking place.

The Premier of the Cayman Islands, Hon. Alden McLaughlin, MLA also addressed the Youth Parliament and praised today's youth for being more engaged in issues than generations past. *"You believe, like no other generation before you, that equality is a God-given right, regardless of your colour, regardless of your ethnicity, regardless of your gender, and regardless of your sexual orientation. The future of this country is bright. It is secure because you care more about the things that are important, the things that are sustainable, that will allow this country to endure not just for the next generation, but for generations to come."*

Members of the CPA Cayman Islands Branch also attended a flag raising ceremony on Commonwealth Day 2019 as the Governor of the Cayman Islands, Martyn Roper raised the Commonwealth flag in front of the Government Administration Building in George Town. The Commonwealth affirmation was read by Girl Guide, Adelaide Walton.

Malaysia Parliament celebrates Commonwealth Day 2019 and the 70th anniversary of the 'modern' Commonwealth

Members of the Commonwealth Parliamentary Association (CPA) Malaysia Branch celebrated Commonwealth Day 2019 with a celebration event at the Parliament of Malaysia. The Speaker of the Parliament of Malaysia (Dewan Rakyat), Hon. Mohamad Ariff Md Yusof together with the CPA Malaysia Chairperson, Hon. Datuk Shamsul Iskander Md. Akin, MP and the Commonwealth Women Parliamentarians (CWP) International Chairperson, Hon. Dr Dato' Noraini Ahmad, MP welcomed special guests to the event who included Members of Parliament, High Commissioners and local development agencies.

The Speaker of the Parliament of Malaysia highlighted the importance of the Commonwealth and of the CPA Benchmarks for Democratic Legislatures in the fostering of good governance and democratic institutions. The Speaker said:



"Special mention must be made on the extremely valuable role played by the CPA and its local chapters, to augment the ties between Commonwealth Parliaments. The CPA remains an invaluable source of information and inspiration. We draw support and inspiration from the experiences of other Commonwealth Parliaments, of course, but the work of the CPA in recommending benchmarks for democratic legislatures through the excellent booklet, 'Recommended Benchmarks for Democratic Legislatures', provide us with the necessary focus and direction to re-set our Parliament to be in line with international standards."



Commonwealth Day 2019

CPA Branch Activities



Focus on youth engagement for Commonwealth Day 2019 for the CPA Jamaica Branch

On Commonwealth Day 2019, the Jamaica Houses of Parliament and CPA Jamaica Branch fulfilled its mission of demonstrating how Commonwealth action has had a positive impact on the lives of local citizens, thereby underscoring the relevance of the Commonwealth to Jamaican youth. This was done through the staging of Commonwealth Youth Consultations which were held with students from Denham Town Primary School and Vauxhall High School in Kingston.

At the Denham Town Primary School, a team led by Senator Hon. Thomas Tavares-Finson, CD, QC, JP, President of the Senate and CPA Jamaica Joint Branch President, and Mrs Heather Cooke, CD, JP, Clerk to the Houses of Parliament and CPA Branch Secretary, brought the Commonwealth to the school's 100 grade 5 students. The President of the Senate and the Clerk to the Houses in their remarks explained the functions of the Commonwealth and the Commonwealth Parliamentary Association. Students participated in the proceedings by saying the opening prayer, reading the Commonwealth Day messages from Her Majesty Queen Elizabeth II, the Prime Minister of Jamaica, Hon. Andrew Holness, ON, MP, and the Leader of the Opposition, Dr Peter Phillips, MP. The students also performed a cultural item entitled 'Unity'. In addition to this, the students watched a video on the Commonwealth and received a presentation on the operation of the Jamaica Houses of Parliament. Afterwards, they participated in a quiz about the Commonwealth. The students were then given Commonwealth and Houses of Parliament memorabilia. The session ended with the students taking photographs with Commonwealth Day-themed selfie frames.

The team at Vauxhall High School led by Hon. Parnell Charles, CD, MP, JP, Speaker of the House of Representatives and CPA Jamaica Joint Branch President, and Ms Valrie Curtis, BH(M), JP, Deputy Clerk of Parliament, met with 300 grade 9 and 10 students. The Speaker of the House and the Deputy Clerk outlined the roles of the Commonwealth and the Commonwealth Parliamentary Association. As was done at Denham Town Primary School, the students at Vauxhall High School said the opening prayer and read the official Commonwealth Day messages. Miss Aliencia Taylor, Foreign Services Officer, in the Ministry of Foreign Affairs and Foreign Trade, made a presentation on 'Jamaica and the Commonwealth', which was very well received by the students.

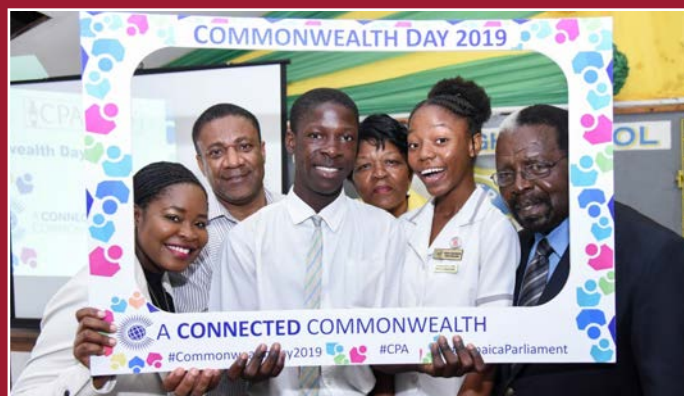


Image: Adrian Walker/Jamaica Information Service

Above: Speaker of the Jamaica House of Representatives and CPA Jamaica Joint Branch President, Parnell Charles (above right) with (from left): Foreign Services Officer, Ministry of Foreign Affairs and Foreign Trade, Aliencia Taylor; Leader of Opposition Business in the House of Representatives, Phillip Paulwell; Prefect, Vauxhall High School, Tajay Malcolm; Deputy Clerk to the Houses of Parliament, Valrie A. Curtis; and Deputy Head Girl, Vauxhall High School, Charlecia Robinson during the Commonwealth Day 2019 youth programmes in Kingston, Jamaica.

The highlight of the day's proceedings was the 'rap session' which featured as panellists: the Hon. Speaker of the House; Mr Phillip Paulwell, CD, MP, the Leader of Opposition Business in the House of Representatives and the local Member of Parliament for the constituency in which the school is located plus Ms Taylor and two student leaders. The rap session focused on the issue of governance and the students were eager to learn more about the political and electoral systems used across the Commonwealth.

In keeping with the 2019 theme of 'A Connected Commonwealth', the issue of the inter-connectedness of the Commonwealth was emphasized throughout the Jamaica Parliament programmes. The messages of "the centrality of the shared values of the Commonwealth to sustainable national development" and "the importance of cooperation", which were messages present in previous years' celebrations and were also echoed in this year's events. Another takeaway from the event was the fact that having the Commonwealth Day celebrations at the schools, made the students particularly receptive to these messages.

The CPA Jamaica Branch was delighted to receive CPA bursary funding towards the costs of their Commonwealth Day 2019 programmes.

CPA Northern Territory Branch celebrate Commonwealth Day 2019 with schools' outreach programme

During the first three weeks of March, the Main Hall of Parliament House, Darwin, Northern Territory was once again adorned with the flags of the 53 nations of the Commonwealth. Each year, the Department of the Legislative Assembly of Northern Territory's Parliamentary Education Service coordinates a programme with Government House to celebrate Commonwealth Day. At Parliament House, students learn about the history of the Commonwealth and the shared values of the member countries. Students complete a 'passport' booklet by answering questions with the aid of information posters and they also learn about the theme of each year's Commonwealth Day and of the role of the Commonwealth Parliamentary Association. At Government House, students participate in a tour of the historic building and learn about the role of the Administrator of the Northern Territory.

Over the course of the programme, 459 students from eight different schools from the Darwin, Palmerston and rural areas participated. By

observing Commonwealth Day with the 2019 theme of 'A Connected Commonwealth', students in the Northern Territory joined with students across the world to celebrate the 70th anniversary of the formation of the Commonwealth.

Two key outcomes of the programme from this year's events were that visiting students came from a broad range of Commonwealth countries themselves other than Australia, and that students form their own understanding of the meaning and value of the Commonwealth. These outcomes will be incorporated in the 2020 Commonwealth Day activity.



With thanks to CPA Branches for sharing their Commonwealth Day 2019 news. Several CPA Branches applied for additional bursary funding from the CPA Headquarters Secretariat to assist with their activities this year. For 2020 Commonwealth Day funding applications please email hq.sec@cpahq.org or contact the CPA Headquarters Secretariat for details.

CPA Zambia Branch host Commonwealth Day 2019 event for young people

Held under the theme of 'A Connected Commonwealth', the National Assembly of Zambia and the CPA Zambia Branch celebrated Commonwealth Day 2019 with the hosting of its popular annual event for young people. The objective of the commemoration of the Commonwealth Day was to create awareness of the Commonwealth and how its core values and principles connect its people.

The Vice-President of the CPA Zambia Branch, Hon. Peter Daka, MP, officially opened the Commonwealth Day activities at the Parliament Buildings on behalf of the Speaker of the National Assembly, Rt Hon. Mr Justice Dr Patrick Matibini, MP, President of the CPA Zambia Branch.

In the Speaker's address, he emphasised the need for the awareness and practice of the core values and principles of the Commonwealth and the important role played by youths in society. In order for young people to be aware of the core values of the Commonwealth, it is important to engage young people with institutions like Parliament. The CPA Zambia Branch Secretary/Treasurer and Clerk of the National Assembly of Zambia, Mrs Cecilia N. Mbewe also gave a welcome speech at the event.



Over 100 young people from ten secondary schools in Lusaka attended the event and presented their poster designs which depicted the Commonwealth's core values and principles such as democracy, good governance, human rights, sustainable development, international peace and security, the separation of powers, rule of law, gender equality and the role of civil society. The participants were also given the opportunity to learn



about parliamentary procedure, the operations of Parliament, and the work of its Members. The best three school presentations and best three student speakers were presented with prizes by the CPA Zambia Branch Executive Committee Member, Ms Princess Kasune, MP.

The Zambia schools attending the Commonwealth Day 2019 event were: Lusaka Girls Secondary School, Matero Girls Secondary School, Arakan Boys Secondary School, Lusaka Boys Secondary School, Nyumba Yanga Secondary School, Lilayi Secondary School, Chelstone Secondary School, Munali Boys Secondary School, Kabulonga Girls Secondary School and Kamwala Secondary School.

The Commonwealth Day event was organised by the parliamentary staff from the National Assembly of Zambia in collaboration with the Ministry of General Education. Executive Committee Members of the CPA Zambia Branch, other Members of Parliament, Ministry of General Education officials and parliamentary staff from the National Assembly of Zambia also attended the Commonwealth Day event. Due to prior parliamentary commitments on Commonwealth Day itself, the event was held a couple of weeks later.

High Commissioners in Ottawa celebrate Commonwealth Day 2019 with CPA Canada Federal Branch

The CPA Canada Federal Branch Chairperson, Hon. Yasmin Ratansi, MP co-hosted a reception for Commonwealth High Commissioners to Canada with the Speaker of the House of Commons, Hon. Geoff Regan, MP and the Speaker of the Senate of Canada, Senator Hon. George Furey. The event, which celebrated Commonwealth links through this year's theme of 'A Connected Commonwealth', was also attended by the CPA Vice-Chairperson, Hon. Alexandra Mendes, MP and a number of Members from both Houses of the Canadian Parliament.



Mauritius focuses on climate change for Commonwealth Day 2019

An event held in Port Louis, Mauritius by the Commonwealth Climate Finance Access Hub (CFAH) to mark 'A Connected Commonwealth' on Commonwealth Day 2019 recognised the huge impact of climate change on the smallest states in the Commonwealth. The CFAH was established in Mauritius to help unlock climate finance for urgent adaptation and mitigation actions in small states and the least developed countries that are most vulnerable to climate change. The CFAH has provided technical assistance and capacity building support services to climatically vulnerable countries through the deployment of National Climate Finance Advisers.

Permanent Secretary of the Ministry of Foreign Affairs, Regional Integration

and International Trade and Chair of the CFAH Steering Committee, Jaganathan Rangan commented that there were many challenges posed by climate change and said: "It is crucial for each and every one to meaningfully bring in their contribution to address this alarming issue."

The CFAH has been supported by the UK and Australian Governments. British High Commissioner to Mauritius, Keith Allan said it was important to evaluate progress made by CFAH as it endeavours to support countries in mobilising finance for their actions on climate change. The CFAH has extended assistance to nine countries in the Africa, Caribbean and Pacific Regions with a total of 31 climate change projects already in the pipeline in beneficiary countries.

Commonwealth Day 2019

CPA Branch Activities



CPA Chairperson visits 'Commonwealth at 70' photography exhibition at UK Parliament during Commonwealth Week 2019

The Chairperson of the Commonwealth Parliamentary Association (CPA), Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon visited the Parliament of the United Kingdom during Commonwealth Week 2019. The CPA Chairperson met with the CPA UK Chairperson, James Duddridge, MP and CPA UK Vice-Chair, Rt Hon. Lord Foulkes to discuss the CPA's work in the UK Parliament and overseas.

During her visit to the UK Parliament, the Chairperson of the Commonwealth Parliamentary Association, Hon. Emilia Monjowa Lifaka, MP visited a photographic exhibition at Portcullis House celebrating Commonwealth visitors past and present and the 70th anniversary of the 'modern' Commonwealth.

UK Parliament debates recognise Commonwealth Day 2019 and the 70th anniversary of the 'modern' Commonwealth

The CPA UK Branch recognised Commonwealth Day 2019 with a series of debates and statements in the UK House of Commons and House of Lords that also focused on the 70th anniversary of the 'modern' Commonwealth.

The UK Foreign and Commonwealth Office Minister for Africa, Rt Hon. Harriett Baldwin, MP made a Commonwealth Day 2019 statement to the House and said: *"At the Commonwealth Heads of Government meeting in April last year, heads made ambitious commitments to build a Commonwealth that is fairer, more sustainable, more prosperous and more secure. Over the last 11 months, the UK has been working hard to ensure that together, we deliver on those commitments. We cannot do this alone and are working closely with the three pillars of the Commonwealth - our 52 fellow member states, the Commonwealth Secretariat and the many Commonwealth organisations and networks. This includes the Commonwealth Parliamentary Association, in which many Honourable Members here play active roles. These three pillars demonstrate a connected Commonwealth in action."*



A backbench debate was also held in the UK House of Commons on the motion of *'The Modern Commonwealth: Opportunities and Challenges'* moved by James Duddridge, MP, CPA UK Chairperson.

Hon. Dr Roberta Blackman-Woods, MP, CPA UK Executive Committee Member spoke in the debate and said: *"The CPA does amazing work across the Commonwealth to advocate for and provide training to achieve more inclusive and effective Parliaments. It works with Clerks and Public Accounts Committees, so that higher standards of probity exist, and campaigns to ensure that the voices of Parliamentarians are not ignored by the Executive."*

CPA Wales Branch celebrate Welsh links with Africa for Commonwealth Day 2019

The Welsh Assembly and the Commonwealth Parliamentary Association Wales Branch celebrated the theme for Commonwealth Day 2019 'A Connected Commonwealth' in partnership with Hub Cymru Africa, at a celebration event at the Senedd that focused on the many links between Wales and the CPA Africa Region.

The event featured exhibitions music and dance performances, speeches and stalls from local projects and fairtrade shops that showcased the many organisations working to further cooperation and partnerships including Wales for Africa, Hub Cymru Africa, Fair Trade Wales, Blossom Africa, Wales Sub-Sahara Advisory Panel (SSAP) as well as a special performance from Ballet Nimba, a dynamic African performance company based in Wales. Many organisations work with the African diaspora in Wales as well as with projects taking place in the Africa Region.

The event was attended by many Members of the CPA Wales Branch including CPA Wales Branch President, Elin Jones, AM, Presiding Officer of the Welsh Assembly; Ann Jones, AM, Deputy Presiding Officer; and Joyce Watson, AM, Commonwealth Women Parliamentarians (CWP) Steering



Committee Member for the British Islands and Mediterranean Region.

CPA Wales Chair, Rhun ap Iorwerth, AM said: *"We value and appreciate the 'Connected Commonwealth' and in Wales, we have an important relationship with many African countries, organisations and groups. We are looking to share best practice with African partners and to look at ways we can improve each other's governance practices."*

The event followed a recent successful CPA Wales Branch visits to the CPA Africa Region, which included programmes at the CPA Botswana Branch and CPA Western Cape Branch at the Provincial Parliament.

With thanks to CPA Branches for sharing their Commonwealth Day 2019 news. Several CPA Branches applied for additional bursary funding from the CPA Headquarters Secretariat to assist with their activities this year. For 2020 Commonwealth Day funding applications please email hq.sec@cpahq.org or contact the CPA Headquarters Secretariat for details.

CPA St Helena Branch focuses on youth, telecommunications and the environment for Commonwealth Day 2019

Events to mark Commonwealth Day 2019 in St Helena on Monday 11 March took place at the newly opened St Helena Airport with over 200 people present, the majority of whom were school children. A working group of five CPA St Helena Branch Members opted to host the events at the airport to demonstrate how our physical connections with the Commonwealth have improved since air access to the island became possible in 2016; this was in line with this year's Commonwealth Day theme of 'A Connected Commonwealth'.

The event commenced at the main terminal building with a welcome speech by Hon. Kylie Hercules, MLC, who is in her twenties and the youngest member of the St Helena Legislative Council. This was followed by the reading of the Commonwealth Day 2019 message from Rt Hon. Patricia Scotland, QC, Secretary-General of the Commonwealth by the President of the Prince Andrew School Student Council and this was followed by Her Excellency the Governor of St Helena, Lisa Honan reading the Commonwealth Day message from Her Majesty Queen Elizabeth II.

Prior to the raising of the Commonwealth flag at 10am by the newly elected Speaker of the Legislative Council and President of the CPA St Helena Branch, Hon. John Cranfield, the Vice-President of the Prince Andrew School Student Council read the Commonwealth Affirmation.

Guests then moved to the main airport operations building which had been made available for presentations to be given relating to the Commonwealth Day theme. These included connections through the environment, telecommunications and IT, as well as sport.

Mrs Tara Pelembe, the Deputy Director of the South Atlantic Environment Research Institute spoke about the connected Commonwealth through the environment and the fact that other environmentalists and



Image copyright: South Atlantic Media Services/St Helena.

experts were visiting the Island to attend an Environmental Conference, with conference participants from many Commonwealth places such as Canada, Ascension Island, the South Georgia and the South Sandwich Islands, Falkland Islands and the UK also attending the Commonwealth Day event to help demonstrate St Helena's connections with other Commonwealth countries through environmental activities.

Advances in St Helena's telecommunications were demonstrated, and it was recalled that as recently as 1989, there were only three international telephone lines in/out of the island; with individuals wishing to make overseas calls at Christmas having to make a booking in October for a maximum call of fifteen minutes. This was contrasted with the significant opportunities that have emerged since then with advances in internet access bringing enhanced connectivity.

The Commonwealth connections through sport were demonstrated with a presentation on St Helena's participation in the Commonwealth Games and other events over the years.

Once the presentations were concluded, the Prince Andrew School Commonwealth Choir performed for guests and then primary school children took part in some sporting activities on the airport's main tarmac, organised by the St Helena Commonwealth Games Association. School children also gathered together to form a '70' to mark the 70th anniversary of the modern Commonwealth.

Hon Mark Pollard, Member of the Falkland Islands Assembly, who was visiting St Helena to participate in the South Atlantic Environment Conference, made the concluding remarks at the end of a very busy programme.



Commonwealth Day 2019 celebrated in Cameroon

Stakeholders highlighted the value of global engagement as Cameroon joined other member countries to celebrate the Commonwealth Day 2019. A number of activities were held in Cameroon to mark Commonwealth Day, with activities revolving around nurturing connections for shared prosperity.

The Minister Delegate to the Minister of External Relations, in charge of cooperation with the Commonwealth, Felix Mbayu highlighted the connections between Cameroon and the wider Commonwealth. The Minister said: "This valued partnership has supported our determination to build a nation with strong democratic institutions and in which the rule of law prevails. Elections Cameroon, for example, was set up with the support of the Commonwealth, which also provided capacity building to its staff."

The Minister also noted that cooperation and ties between Cameroon



and the Commonwealth have grown from strength to strength, with Cameroon gaining expertise in governance, gender equality and countering violent extremism.



THE COMMONWEALTH AT 70: REFLECTIONS OF THE COMMONWEALTH SECRETARY-GENERAL



Rt Hon. Patricia Scotland, QC is the sixth Secretary-General of the Commonwealth, a role she started on 1 April 2016. She trained as a lawyer and became the first black woman to be appointed a Queen's Counsel in 1991. At 35 she was also the youngest woman ever to be made a QC. She joined the UK House of Lords in 1997 as Baroness Scotland of Asthal going on to serve as a Minister in the Foreign Office, Home Office and Lord Chancellor's Department. She was appointed Attorney General in 2007 – the first woman to hold the post since it was created in 1315.

Parliamentarians have good reason to be aware of the value of making common cause with others in order to achieve progress, and are more aware than many of the need to find common ground in order to build together towards shared objectives. This brings greater depth of understanding and appreciation of convening power, and of how – at this time when multilateralism is under threat, and nationalism and narrow self-interest are on the rise – the Commonwealth shines as a beacon of hope and promise.

By demonstrating the practical benefits of international collaboration and combined purpose, Commonwealth connection and collaboration deepen understanding of how as countries, as communities and as individuals we are interdependent and mutually supporting. Collaboration, based on the needs and perspectives of all members of our diverse family of nations, lies at the heart of all that the Commonwealth brings to our world.

We draw together countries at almost every stage of social, economic and political development, including some of the smallest and poorest and some of the largest and richest, including five G20 members. Uniting in a spirit of goodwill and mutual support, the similarities of our systems and institutions enable lessons learnt in one setting to be shared, adapted and applied elsewhere, so that the benefits of progress can be enjoyed more swiftly by others

and for the good of all.

So where some of our members may lead on holistic interventions that reduce negative human impacts on the environment and regenerate our common earth, another may show the way on measures to advance social inclusiveness or gender equality, while others pioneer pathways towards greater political or economic development. By sharing knowledge of what has worked, and understanding better what has not, any one may encourage others to move in positive directions. By offering practical guidance and support, all can help hasten beneficial change.

In these as in many other contexts, Parliamentarians are able to make contributions of indispensable value. Of particular importance in a Commonwealth context is the cross fertilisation of ideas and joining together of voices which is made possible when the duly elected or nominated representatives of the people speak on behalf of those they serve, and Members of Legislative Assemblies cooperate across boundaries of geography, ideology, politics or other identity. This is the distinctive and immensely valuable contribution of the Commonwealth Parliamentary Association.

From its earliest beginnings, and through successive stages of expansion and development, the Commonwealth has been a pioneer of invention and innovation, with diversity and inclusiveness as watchwords. The resilience and strength of

our members, individually and collectively, depend on continual evolution and adaptation. This requires vigilance and agility in adjusting to changing circumstances and in responding to emerging needs. There have been decisive points in our shared history when bold vision and decisive joint action have opened up broad new opportunities for cooperation and connection.

“By demonstrating the practical benefits of international collaboration and combined purpose, Commonwealth connection and collaboration deepen understanding of how as countries, as communities and as individuals we are interdependent and mutually supporting. Collaboration, based on the needs and perspectives of all members of our diverse family of nations, lies at the heart of all that the Commonwealth brings to our world.”



One such occasion, seventy years ago, was when Commonwealth leaders agreed the new basis on which they would work together. Through the London Declaration of 1949, our founding eight nations resolved that they would “*remain united as free and equal members of the Commonwealth of Nations, freely co-operating in the pursuit of peace, liberty and progress.*”

Since then, the Commonwealth has expanded in scope and grown in stature, with many more nations growing to maturity. As independence has been achieved and celebrated, awareness of our interdependence has also grown, and it is by recognising and building on this that our cooperation continues to flourish and our connections to develop.

Vitally important in that continuing development have been our *Commonwealth Principles on the Accountability of and the Relationship Between the Three Branches of Government*, the *Commonwealth Latimer House Principles* as they are more generally known. These were debated and adopted by our Heads of Government in 2003 when they assembled in in Abuja, Nigeria, greatly strengthening earlier declarations made in Singapore in 1971, Harare in 1991, and Millbrook in 1995. They are designed to help the business of fair, efficient, transparent, responsive government - government for the people. They recognise the complex and interlocking network of relations between the Legislature, the Executive, and the Judiciary. They also acknowledge the need for oversight mechanisms through which officers may be held responsible for their actions, and that while the Judiciary is independent of the Executive, it is dependent on it financially.

The need for adherence to these principles means that every Commonwealth member country, at whatever stage of maturity its

institutions of government may be, must continually question and examine how the branches of its government are acting. Does the Executive respect the freedom of the Legislature and the Judiciary to discharge their functions and responsibilities? Do the Legislature and Judiciary guard and act to uphold their independence and powers? So it is important for Parliamentarians to have a clear understanding of their own rights and responsibilities.

Speaking of this in October 2018 in his statement on parliamentary privilege, the UK Lord Speaker of the House of Lords, Rt Hon. Lord Fowler, said: “*Two of the most important are the freedom for Members of the Legislature to speak freely, without repercussion and respect by the Legislature for the independence of the courts and the rule of law.*” He went on to observe: “*The relationship between these two should not be one of conflict but one of mutual respect*” and continued: “*As Parliamentarians we should be keen to respect the proper business of the courts, just as we expect the courts to respect the authority of Parliament. In particular, we should be careful that in exercising our undoubted right to free speech in Parliament we do not set ourselves in conflict with the courts or seek to supplant them.*”

Those are wise words, as are those of the Lord Chief Justice of England and Wales, Lord Burnett, who when addressing the 2019 Commonwealth Law Conference in Zambia referred to the Latimer House Principles and the need for mutual respect among the three constitutional branches of the government: the Legislature, the Executive and the Judiciary, and the interdependence of those three branches and the dependence of each on the others. In his address he expressed the opinion that: “*The term ‘parliamentary privilege’ is itself misleading because it conveys the impression that in some way legislators are placed above the law,*

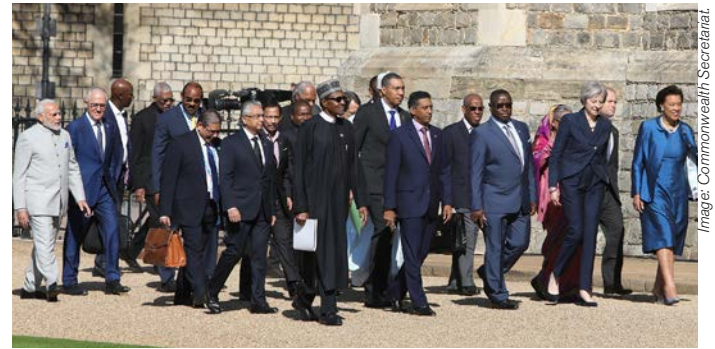


Image: Commonwealth Secretariat

when its essence is to protect them from interference by the Executive or from anyone seeking to use the courts to inhibit their activities within Parliament as Parliamentarians by using the courts either pre-emptively or through action impugning what they have said and done in Parliament.”

He went on: “*The importance of this privilege, and particularly the part which protects freedom of speech in Parliament, cannot be overstated. It is essential that Legislators are able to carry out their role without fear of arrest or fear that what they say in Parliament may be subject to Executive action or proceedings in the courts. Just as judges must be protected by immunity from suit and by security of tenure, to ensure that they too can properly discharge their constitutional functions without fear of improper pressure, so too must Legislators. They require protections to enable them to engage in robust debate, to canvass issues and press points that may be unpalatable to governments, to Heads of State, and to other powerful people or interest groups without fear of reprisal. Democracy depends upon such protection.*”

So Parliamentarians have a special duty to ensure that our systems of government and the procedures by which they function provide citizens with the assurance that their rights, their voice and their interests are protected and safeguarded, so that they are able to have confidence that they live under the rule of law.

Reviewing the seventy years since the Commonwealth we

Above: The Commonwealth Secretary-General with Commonwealth Leaders at the Commonwealth Heads of Government Meetings at Windsor Castle in April 2018.

know today came into being, we see with the development of agreed principles such as these, and in many other practical ways, an impressive record of impact and achievement. This continues today, with our Commonwealth Charter pointing the way and sustainable development offering ever more inclusive progress and prosperity to the people of all our member nations.

There is also the Commonwealth Blue Charter, through which our member countries collaborate on protocols and practices to safeguard the health of the ocean which connects the continents, the islands and the countries in which we live. Alongside this, our Commonwealth Climate Change Clean Campaign, led by our youth and championed by the President of Seychelles and other leaders, is mobilising action in support of our work on the Commonwealth Common Earth programme.

The Commonwealth Connectivity Agenda on Trade and Investment is another example of how we are currently responding to the needs of our countries and communities. So too is the Commonwealth Cyber Declaration, which supports economic and social development and rights online so that a free, open, inclusive and secure cyberspace can be enjoyed by all.



THE COMMONWEALTH AT 70: REFLECTIONS OF THE COMMONWEALTH SECRETARY-GENERAL

Our Commonwealth approach is to come together to tackle challenges, and to work through links at multiple levels towards a safer, fairer and more sustainable future. This is expressed in the opening words of our Charter: *'We the people of the Commonwealth'*. By linking government and people, Parliamentarians have a special role to play, particularly with places in Legislatures generally being won through having secured a majority of votes, yet members having a duty to speak for the rights of minorities and to represent a broad range of interests.

Similarly, Parliamentarians enact laws that regulate, and yet have a duty to defend freedoms and liberties. Their desire to bring prosperity and progress through measures that promote economic growth goes hand in hand with the responsibility to protect our planet and ensure that people are not exploited. Our Commonwealth way is always to see the bigger picture, and to share concern for the welfare of others – particularly the marginalised and the vulnerable.

“Parliamentarians have a special duty to ensure that our systems of government and the procedures by which they function provide citizens with the assurance that their rights, their voice and their interests are protected and safeguarded, so that they are able to have confidence that they live under the rule of law.”

By understanding that all have something to contribute, and recognising the richness that each can bring, we have learnt together that it is by consensus rather than confrontation that more will be achieved. This leads to the Commonwealth being a pioneer, and doing things in ways that are innovative, collaborative, inclusive and connected. Indeed, our Commonwealth theme this year is *'A Connected Commonwealth'*, and we bring this to bear in the way we work together on the rule of law, democracy, and the many aspects of development needed if all our citizens are to enjoy the benefits of fair and sustainable social and economic progress.

In so many areas of life which are of vital importance to our citizens we work together for change. Through the mutual support and encouragement of Commonwealth connection, and its distinctive strength as a *'network of networks'*, valuable knowledge is shared in order for more to be achieved. So I encourage Parliamentarians to refer frequently to the Commonwealth Charter, since it brings together the values and principles that guide us in responding to the concerns of the people in our countries and communities. We need to foster and cultivate a stronger sense of Commonwealth identity and awareness so that others can draw the same inspiration and encouragement that we all do from belonging to such a remarkable global family.

Each of our jurisdictions is different, and has specific local needs and context, yet deep affinities and close connections flourish among our peoples, and the institutions which serve them - our judiciaries, public prosecutors, police services and national human rights institutions. These bring substantial benefits to our citizens, in terms of service delivery, efficiency and value for money, and more favourable environments for business. They are distinctive contributions which

only the Commonwealth can make, yet what we achieve in the Commonwealth can then be applied more widely.

There is a particularly pressing need for us to collaborate and to join together in solidarity to tackle disillusionment, disaffection, and alienation. We need to offer young people greater opportunity for positive involvement with their peers and with wider society as nation builders. Such engagement enables young people to address social exclusion, ethnic or religious prejudice, and politically-motivated violence at grassroots. They can learn instead to be agents for inclusion and wholesome engagement.

Recent events in several of our member countries bring home to us very starkly the urgent need to strengthen national, regional and global action on countering violent extremism. If extremists are able to recruit young persons with such seeming ease, we need to know how and why, so that we can engage them with our message of hope and inspire them to work instead towards our joint goals, values of peace and understanding and the common good.

The Countering Violent Extremism Unit within the Commonwealth Secretariat is helping member states to share knowledge, and to devise and implement national strategies for preventing radicalisation and the pernicious harm it generates. We also offer specialist expertise and assistance for strengthening national human rights institutions and the rule of law. Our way is always to encourage positive engagement, by promoting alternative narratives, strengthening justice institutions, and building platforms for dialogue.

Violence can be defeated, but we need the widest and most inclusive alliances of government, international agencies, civil society organisations, private sector actors, legal bodies, educators, youth workers and healthcare

professionals. We also need to mobilise faith leaders alongside those of no religious belief, and unite in upholding and expressing the values of our common humanity. That is why we are working through initiatives such as Faith in the Commonwealth and Peace at the Crease to bring together broad coalitions capable of overcoming division and fostering respect and understanding across boundaries. This builds on our longstanding Commonwealth work in the field of Sport for Development and Peace.

The impact of Commonwealth collaboration, and the mutual support Commonwealth Parliamentarians and other professionals offer one another, deserves to be more widely known and appreciated. Members of Legislative Assemblies can help in this by speaking of the benefits it brings and by drawing attention to it in debates. The power of Commonwealth connection will then permeate more deeply into the consciousness of Ministers, officials, decision makers and opinion formers.

Parliamentarians and Members of Legislatures, with frequent access to national leaders and to the media, have a special part to play in urging for greater acknowledgment to be accorded to this precious pearl, our Commonwealth. We must value it and cherish it – not as an heirloom, but as a matchless asset and great resource for strength and cooperation in this fragile and fractured world.

Above all, it is for each and every one of us who has the privilege of being a member of this very special global family – in partnership with friends and neighbours in the wider international community – to help realise more fully the immense potential of the Commonwealth, and to build on its deep foundations and seventy years of equal partnership in pursuit of peace and progress towards a more secure, more inclusive, and more sustainable future for all.



THE ROLE OF PARLIAMENTARIANS IN DELIVERING ON THE COMMONWEALTH'S AGENDA



Senator Hon. Dennis D. Moses is the Minister of Foreign and CARICOM Affairs of the Republic of Trinidad and Tobago. He previously held positions at the OAS General Secretariat in the Commonwealth of Dominica and in Guyana; at the Inter-American Institute for Cooperation on Agriculture (IICA) in Barbados; at CAB International at its headquarters in the United Kingdom; and as career diplomat at the Ministry of Foreign Affairs of Trinidad and Tobago. Minister Moses is fluent in French and Spanish, is married and has two children.

At the milestone of 70 years, the Commonwealth emerges as a family of nations that is bound by shared inheritances, enlightened by diversity, guided by the lessons of experience and history and emboldened with a renewed mandate and sights set on shaping a tomorrow that is fairer, safer, more productive and more sustainable than yesteryear.

As the Commonwealth celebrates its 70th anniversary, this year's theme of '*A Connected Commonwealth*' underscores the benefit and value of the Commonwealth's global engagement in all aspects of society and the rich diversity of the Commonwealth family of nations, with its enduring commitment to persevere and collaborate in a spirit of friendship and goodwill. It gives recognition to the Commonwealth's determination to connect people, institutions and governments through education, concern for the environment, economic and trade cooperation, sport, the promotion of peace and good governance, and outreach to youth, women and marginalised communities.

Over the course of 70 distinguished years, the Commonwealth has transitioned from the old into the new with its unwavering focus on sustainability and inclusion for all within the Commonwealth fold. Despite the complexity and gravity of the challenges encountered in today's global landscape; from mushrooming security threats and conflict, to evolving health risks, to extreme weather events and climate impacts, to continued

abuses of the rights of women, children, minorities, the differently abled and other marginalised groups; the Commonwealth remains firmly planted in the foundation of the Commonwealth Charter and dedicated to fostering meaningful development for the Commonwealth's 2.4 billion citizens across some 53 Member States.

The year of 2018 was a year of exceptional global challenges and opportunities, marked by action on the part of the international community to substantively address climate change, environmental degradation, socio-economic exclusion and migration, with a view to creating a roadmap for achieving sustainable development at the global level.

It was in that spirit of cooperation, partnership and common purpose that Commonwealth Heads of Government converged in London and Windsor in April 2018 under the theme of '*Towards a Common Future*'. It achieved its purpose of bringing to bear decades of accumulated Commonwealth knowledge and experience, as well as strategic influence, on the outcome of global conversations taking place in other international fora that directly impact the standard of living and quality of life of the peoples of the Commonwealth, the majority of whom live in impoverished conditions in developing countries.

Bearing in mind that Commonwealth populations represent a third of the global population, 60% of which are young people under the age of 30, the 2018 Commonwealth Heads of Government Meeting

(CHOGM) featured multi-dimensional discussions by the Heads of Government on how to better pursue shared goals of fairness, sustainability, security and prosperity. To this end, the outcome documents of the meeting highlighted the advocacy and practical contributions of the Commonwealth in finding durable solutions to major challenges and concerns. In addition to the new and expanded mandates emerging from CHOGM 2018, the convocation of Commonwealth Heads demonstrated collaboration, leadership and innovation through

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THE ROLE OF PARLIAMENTARIANS IN DELIVERING ON THE COMMONWEALTH'S AGENDA

Image: Commonwealth Secretariat.



Commonwealth Foreign Ministers held meetings at Lancaster House in the margins of the CHOGM in April 2018.

the launch of strategic initiatives designed to strengthen the economic and developmental prospects of Commonwealth Developing States, including the Commonwealth Blue Charter, the *Commonwealth Cyber Declaration* and the *Declaration on the Commonwealth Connectivity Agenda for Trade and Investment*.

The environment and climate change

CHOGM 2018 was significant in that it took cognisance of the pressures of ocean warming; acidification; climate change; marine pollution (in particular plastics pollution); biodiversity loss; unsustainable fisheries and international marine wildlife crimes, resulting in the adoption of the Commonwealth Blue Charter, thereby building on the body of existing international commitments towards sustainable ocean management, including the first United Nations Oceans Conference, the Caribbean Challenge Initiative, the Barbados Programme of Action, the Mauritius Strategy and the SAMOA Pathway.

On the issue of climate change, Commonwealth Leaders welcomed ratification by all Member States of the Paris Agreement and encouraged countries that had not yet done so to consider ratifying and implementing the Kigali Amendment to the Montreal Protocol and the Doha Amendment for parties to the Kyoto Protocol. It will be recalled that the Commonwealth Heads of Government Statement on Climate

Action of November 2015 preceded the Paris Agreement and it also referenced the '1989 *Langkawi Declaration on the Environment*' and the '2009 *Port of Spain Climate Change Consensus: The Commonwealth Climate Change Declaration*'. These instruments were contributing affirmations in shaping the Commonwealth's agenda on climate change and the environment.

Commonwealth Leaders agreed to cooperate with one another in meeting ocean-related commitments through the sharing of knowledge, expertise and good practices, and to mobilise Action Groups to deal with specific threats and challenges affecting Member States. The Blue Charter further acknowledged the unique vulnerability and capacity challenges faced particularly by least developed, small coastal and island states, and landlocked states, and therefore reiterated the importance of intra-Commonwealth cooperation.

Trinidad and Tobago has embraced the Commonwealth's efforts towards conservation and responsible management of oceanic resources and joined the Blue Charter Action Groups on the Blue Economy, Aquaculture, Ocean and Climate Change, Mangrove Restoration and Marine Plastic Pollution. The Commonwealth was represented at the first global Sustainable Blue Economy Conference in November 2018, which brought together governments, businesses, organisations, community and

civil society leaders, academics, scientists/researchers and innovators in Nairobi to formulate concrete commitments and practical actions that can help countries to explore the opportunities of the blue economy.

The Climate Finance Access Hub began in 2016 with initial funding of AUD \$1 million with the aim of addressing the constraints that prevent small and vulnerable states from accessing climate finance. Today, plans are underway to mobilise further financing of GBP £201 million in the Hub. The Commonwealth's robust efforts to pursue climate change reversal and sustainable management of oceanic resources through cutting-edge initiatives have given rise to the '*Common Earth Programme*' which seeks to regenerate and restore the land, atmosphere and seas from adverse climate impacts and collaborative participation in the First Descent Programme, a joint initiative of the oceanic research body Nekton and its partners to conduct multidisciplinary research into unexplored ocean territory.

Disaster preparedness

Of particular importance to the CARICOM region is the issue of disaster preparedness and the Commonwealth's renewed commitment to the *Sendai Framework for Disaster Risk Reduction*, as Heads of Government encouraged urgent and concrete action and global support initiatives that will assist vulnerable countries in finding mechanisms for building resilience, adaptation and mitigation.

The Commonwealth continues to propel the establishment of a resilience-building programme to the forefront of international dialogue to ensure that the Caribbean countries affected by hurricanes Irma and Maria are not forgotten and, that the international community remains vigilant in addressing the issue of vulnerability in the face of natural disasters.

In line with Trinidad and Tobago's National Development Strategy: Vision 2030, with its aim of '*placing the environment at the centre of social and economic development*', Trinidad and Tobago ratified the Paris Agreement on 22 February 2018. Trinidad and Tobago has dedicated the Arena Forest Reserve Project to The Queen's Commonwealth Canopy initiative, a forestry conservation initiative for Commonwealth Member States.

Even as the Commonwealth continues to avail its Law and Climate Change Toolkits to Member States and to embark on the creation of a Disaster Risk Financing Portal, which would make financing available to disaster-ravaged Member States in the future, it underscores the vital need for a Universal Vulnerability Index that would serve to gauge states' vulnerability in order to efficiently channel development assistance.

Information and communication technologies

Mindful of the rapid pace of change and evolution in the global cyber domain, the Commonwealth turned attention to strengthening the use of information and communication technologies; enhancing cyber security; protecting the security of networks, data, users and systems; and mitigating threats to the stability and integrity of critical cyber infrastructure through commitments expressed in the Commonwealth Cyber Declaration. Leaders resolved to promote a cyberspace that supports economic and social development and rights online, to build the foundations of an effective national cyber security response, and to foster stability in cyberspace through international cooperation, building on the principles established in the 2014 Commonwealth Cyber Governance Model adopted by the Commonwealth ICT Ministers Forum and the values upheld in the Commonwealth Charter.



Economic and trade cooperation

The importance of international trade and investment in boosting employment, attracting revenue and growing economies was reiterated through the *Declaration on the Commonwealth Connectivity Agenda for Trade and Investment*. Trade and investment were identified as drivers of inclusive and participative economic growth and as critical activities to propel the 2030 Sustainable Development Agenda. Commonwealth Leaders reiterated their commitment to fostering free trade in a transparent, fair, inclusive and open rules-based multilateral trading system, taking into consideration the needs of small and vulnerable economies and least developed countries and

“As Parliamentarians, we are entrusted with translating ideas and strategies for national development into effective planning, resource allocation, decision-making, policy, legislation and programme implementation. Moreover, we are stewards who have the responsibility to uphold principles of democracy, integrity in public office and good governance to ensure that we deliver the benefits of sustainable and inclusive development to the youth of the Commonwealth and generations to come.”

with a special focus on developing the blue and green economies. The Connectivity Agenda for Trade and Investment will create a facility to provide some USD \$100 million in incremental finance to Commonwealth Small States. The Commonwealth is also implementing a debt management programme to assist Member States with elaborating strategies for effectively managing debt.

Peace and good governance

The Commonwealth has echoed its support for the United Nations Secretary-General's Plan of Action to Prevent Violent Extremism and welcomed the commemoration of 2019 as the *'International Year of Moderation'*, urging greater cooperation with the Secretariat's Countering Violent Extremism Unit in preventing and countering violent extremism. Calls have been made for effective measures to eradicate forced labour, end modern slavery and human trafficking, and to secure the prohibition and elimination of the worst forms of child labour in all its forms by 2025. In 2018, Trinidad and Tobago joined the WePROTECT Global Alliance to End Online Child Sexual Exploitation and it is anticipated that Commonwealth training in this critical area will be unveiled in the coming months.

The Commonwealth Electoral Observation Programme has contributed to promoting peaceful transitions of government and advancing transparency and inclusive and accountable democracy across Member States. Trinidad and Tobago can be proud of its nationals who have hearkened to the call for *'A Connected Commonwealth'* through their contributions to the Commonwealth Youth Council, the Commonwealth Advisory Board on Sport and the Commonwealth Platform for Girls' Education, launched in September 2018. This Platform seeks to eliminate gender disparities in primary and secondary education, in recognition of the right of

girls to access educational opportunities and to learn in a safe and nurturing environment.

Youth, women and marginalised communities

In keeping with the spirit of dialogue and inclusion, various civil society fora were convened ahead of CHOGM 2018, namely the Commonwealth Business Forum, the Commonwealth People's Forum, the Commonwealth Youth Forum and the Commonwealth Women's Forum, producing key outcome documents and statements to influence and shape Commonwealth policy-making and future action plans. The Commonwealth's consistent interaction with civil society partners and its openness to seeking solutions from every segment of society demonstrate a commitment to development premised on respect and equality and the pursuit of an informed, dynamic, responsive and truly connected Commonwealth.

Most critically, the Commonwealth continues to devise ways and means of addressing inequalities, bridging disparities, empowering the disadvantaged, building capacity and resilience, and ultimately connecting people through the provision of technical assistance, the transfer of expertise and technologies and a repository of people-centred tools, learning resources and programmes which facilitate the creation of enabling environments in member countries.

Parliamentarians' Determination to Connect

As Parliamentarians, we are entrusted with translating ideas and strategies for national development into effective planning, resource allocation, decision-making, policy, legislation and programme implementation. Moreover, we are stewards who have the responsibility to uphold principles of democracy, integrity in public office and good

governance to ensure that we deliver the benefits of sustainable and inclusive development to the youth of the Commonwealth and generations to come.

The community of nations must foster collaborative intervention to seek durable solutions in an all-encompassing framework for sustainable development, with the aim of bringing development to people all over the world so that they may enjoy their inalienable rights as human beings and live in dignity, peace and safety. A broad coalition of actors, including governments, civil society, the private sector, labour coalitions/representatives, international organisations, academia and the wider development community must cooperate and develop partnerships to achieve desired objectives of eradicating poverty and socio-economic marginalisation, and to bring hope, enabling capacity and tangible improvement to multitudes where misery, inequities and exclusion exist.

As the Commonwealth navigates ways and means of unleashing creative, innovative, equitable and sustainable solutions to global concerns, Trinidad and Tobago stands ready to contribute towards making this institution a dynamic and potent force for good. In sum, the future that we want and envisage will be determined by our collective actions and decisions today and, the extent of our resolve, ambition and unity of purpose, as Parliamentarians, in delivering the change and transformation that are needed to secure it.

As the Commonwealth enters the next decade of its existence and CHOGM 2020 beckons with promise and potential, the Commonwealth connection must be leveraged by Parliamentarians, citizens and young people of the Commonwealth, together with our collaborators, partners and supporters, to serve as a catalyst for positive change and development and a wellspring of innovation and opportunity.



THE COMMONWEALTH AT 70: AN INTERCONNECTED COMMONWEALTH

Looking ahead to CHOGM 2020 in Rwanda



Hon. Dr Richard Sezibera is the Minister of Foreign Affairs and International Cooperation for the Republic of Rwanda. A medical doctor by training, he previously served as a Senator between 2016 and 2018. Prior to this, he was the 4th Secretary-General of the East African Community, the regional intergovernmental organisation of Burundi, Kenya, Rwanda, Tanzania, Uganda and South Sudan. A former Minister of Health, he has also held several senior inter-governmental positions.

"If you want to go fast, go alone. If you want to go far, go together" is an African proverb that couldn't be more pertinent in a time where the very principle of multilateralism is largely being questioned.

Yet, no one, no community, no state can realistically believe that he or she can do it alone and for one simple reason: we all share one home that is Planet Earth. We see it with the environment, with technology, distance has become irrelevant and we are all interconnected. Whether we like it or not, we are together for better or worse, and the actions of ones directly or indirectly, impact the lives of others, including the ones to be born.

This state of affairs is seen by many, as a challenge, at best and a danger, at worst. I see it as an opportunity: an opportunity to think and do business differently and a chance to redefine partnerships which are beneficial to all parties. Only that way, do we have a chance to achieve national, regional and global goals that we have set for ourselves and our people and to leave something behind for the generations to come.

In a statement made in 1973, His Excellency, Julius Nyerere, former President of Tanzania recalled the reason behind the Commonwealth Secretariat: *"The establishment of the Commonwealth Secretariat in 1965 emphasised the equality of all members, and gave final discouragement to the lingering sentiment that one member had a right to some predominance over others. It has enabled the*

Commonwealth to develop along independent lines in accordance with the interest of all its members."

Based on principles of consensus, equality and respect, the Commonwealth is a community of big and small states from all regions of the world, of people from all races and religions that is supported by a network of over 80 associations and organizations from different sectors. This format provides a rather unique platform for cooperation within and outside our borders.

With a population of 2.4 billion, of which more than 60% are aged below 30, a combined gross domestic product estimated at USD\$10.4 trillion in 2017 and predicted to reach USD\$ 13 trillion in 2020, our organization has the possibility and the ambition to contribute to a better world, making a real difference in the lives of its citizens and the rest of the world's population.

At the Commonwealth Heads of Government Meeting (CHOGM) 2018, last April in London, our Heads of Government reiterated their strong commitment to the above by setting specific targets notably through the Communiqué, the Commonwealth Blue Charter, the Cyber Declaration, and the Declaration on the Connectivity Agenda for Trade and Investment. In line with global targets, these cover key issues including in areas of peace and security, environment, education, health, business and technology.

It is an honour for Rwanda, to have been selected to host the 2020 edition of CHOGM, which will

be a great opportunity to showcase the work that has already been done across the Commonwealth. It will also be an occasion to celebrate the diversity of our governance models and to encourage more knowledge and best-practices sharing among members.

In his address, at the 2013 Commonwealth Local Government Conference in Kampala, His Excellency Paul Kagame, President of the Republic of Rwanda said: *"Clearly, local democracy practices are not always the same and transferrable, because they are context-specific. However, aspiration to a better life is universal and therefore the path taken in some of our countries to realise this may be worth sharing."*

This incredible wealth of experiences offers a chance to look at how others do things, allowing each of us to enrich our thinking and enlarge our perspectives. This exercise is key in reflecting on self and understanding the other. It permits to relativize our place and position in this world as a person or government and in turn, to better appreciate the contribution of others. In that sense, being open to and respectful of others' culture and values directly contributes to a more tolerant peaceful world, something the Commonwealth wishes to reinforce.

The tragedy we have gone through as Rwandans that is the 1994 Genocide against the Tutsi and its aftermath, has taught us a few lessons about the importance of leadership and good governance as guardians of



peace, unity and social cohesion. Over the past 25 years, we have developed home-grown solutions that are rooted in our traditions. These have substantially helped reconciling and rebuilding our nation as well as bringing back the sense of dignity in our people. However, as much as we acknowledge the results that have been achieved to date, we are conscious that the work is not over, it is an ongoing process.

We will be happy to share our experience with other members as we strongly believe that exchanging our views and learning from each other is also a great opportunity to further strengthen our ties as members of this organisation and explore additional avenues to deliver for our people. Certainly, one of the reasons why our nations came together was *"to improve the well-being of all Commonwealth citizens and to advance their shared interests globally."*

Taking into account the purpose of the Commonwealth Parliamentary Association (CPA) that is *"to identify benchmarks of good practices and new policy options that can adopt and adapt in the governance of our societies"*, this makes it an indispensable partner in good governance, which I believe could and should play a major role in all of the above.

Our aim for CHOGM 2020 is not only to deliver a very successful event but also, to get consensus on achievable, comprehensive and meaningful outcomes that members will feel enthused to implement. It is indeed, by bringing positive change to our societies while actively contributing to global commitments such as the Sustainable Development Goals that our organisation can continue to demonstrate its relevance in today's world.

For the President of Rwanda, Paul Kagame, the role of the (local) government is: *"to be transformational, improving the well-being of citizens and*



empowering them to participate fully in their development."

With this in mind, while we develop strategies and programs, we should always keep sight of the people we represent, and be mindful of the fact that they are the ones we are here to serve. As governments, we must be accountable to our citizens if we hope to receive their full support in the execution of our shared vision.

Representing the future of the Commonwealth and close to two-thirds of our population, the youth will be central in leading this vision from policy development to implementation. Our organisation rightfully believes that young people are an asset to their nations and that we should provide them with the relevant skills, competencies and environment to perform and succeed both locally and globally. This will be achieved by involving them at all stages and all levels of governance.

The creative and innovative thinking that youth often demonstrate, and their resourcefulness can undeniably

help in finding solutions to problems that our community and the world are faced with. Furthermore, youth and women are generally disproportionately affected by these problems. Our responsibility is therefore to invest in them so as to make sure they are capable and empowered to deliver.

Our governments also have the duty to put a conducive ecosystem in place for youth to thrive, one of the essential parts of this ecosystem being ICT.

The fourth industrial revolution has indeed proven its capacity to alter the world's balance of power and in that sense, can play a transformational role in the lives of people and the future of global economy. If we want the Commonwealth to keep an edge and be a global key player, it is essential to not only achieve universal access to our members, but to protect their rights. Youth should also be groomed into (highly) tech-literate people who will imagine and create tomorrow's world.

Facilitating trade and business is also an important element of

a favourable ecosystem that governments are responsible for. Unemployment is one of the major issues for youth. If the right environment is in place for them to succeed in business, they will without a doubt, contribute to creating the approximately 40 million jobs needed each year.

As stated earlier, our leaders are fully committed to improve the lives of their people and contribute to a better world by leveraging the network of the Commonwealth. As Rwanda prepares to host CHOGM 2020 and take over the chairship of our organisation, we promise to work closely with all members and partners, including the CPA, in following up on commitments made in order to producing tangible results. In 2022, we aspire to hand over a Commonwealth that will be more resilient and capable to adapt and respond to the needs of an ever-changing world.

We very much look forward to welcoming Heads of Governments, their delegations and forum participants to the land of a thousand hills next year.



DEMOCRACY AND DIVERSITY AT THE HEART OF A FAIRER, MODERN COMMONWEALTH



Lord Ahmad of Wimbledon is the UK Minister for the Commonwealth and UN and the UK Prime Minister's Special Representative on Preventing Sexual Violence in Conflict. He has previously been the Minister for Aviation and Trade, for Skills and Aviation Security, for Countering Extremism, and Local Government and Communities. He was a Government Whip and Lord in Waiting to HM the Queen. He was previously a Councillor and Cabinet Member in the London Borough of Merton and had a 20 year career in the City of London working in banking and finance.

70 years ago, on 26 April 1949, eight countries – the United Kingdom, Canada, Australia, New Zealand, South Africa, India, Pakistan and Ceylon – signed the London Declaration, and the modern Commonwealth was born.

Since then, it has grown from the original eight to today's fifty-three members, spanning the globe from Antigua to Zambia. We are a diverse yet inclusive family of 2.4 billion people, a third of the world's population.

My own family tree also reads like a Commonwealth story. My parents were born in India, came to the UK in the 1950s and settled in Glasgow before moving to London. My wife's roots are in Pakistan and she grew up in Australia, yet our experience is far from unique. All across the UK, diaspora communities embody and exemplify a global network of rich Commonwealth connections.

Freedom and Democracy

As the UK's Minister for the Commonwealth, I am proud to champion this unique network as a global force for good. Over the last seventy years, its member states, institutions and organisations have advocated for the rights and freedoms we share, and have held fast to our common principles when democracy has been challenged, including, importantly, during the era of apartheid.

In 2013, we formally enshrined those principles and shared values in the ground-breaking Commonwealth Charter.

As Parliamentarians, wherever we are in the Commonwealth, we

all recognise that one of the most fundamental of these values is democracy, or, in the words of the Charter, *"the inalienable right of individuals to participate in democratic processes, in particular through free and fair elections, in shaping the society in which they live."*

We should never take democracy for granted. It is a privilege; one that we must nurture and protect. As Parliamentarians, I believe there are three key things we can do to help it flourish.

First, we must uphold the electoral process itself, by doing all we can to ensure that elections are free and fair; that our citizens have a proper democratic choice, and that they know their voices will be heard.

Second, we must hold the government of the day to account, through constructive debate and effective scrutiny, and ensure that new legislation achieves what is intended.

Third, we must reach out and connect with civil society, the private sector, academia, and business to ensure that experts in the field contribute to the development of government policy. In my own varied portfolio, I put this into practice myself by drawing on the insights of faith groups, survivors of sexual violence and voices of youth to inform our policy approach.

Representation and Sustainability

To properly reflect the diversity of our countries, we need a representative group of Parliamentarians. The UK's 2017 general election delivered our most

diverse UK Parliament ever, with more female, LGBT and ethnic minority MPs than ever before. But we still have a way to go: according to a recent Inter-Parliamentary Union study into the number of female MPs in Lower Houses globally, the UK ranks only 39th.

The country that tops the ranking is Rwanda - the next Commonwealth Chair-in-Office - where almost two thirds of MPs are women. A further three Commonwealth countries also make the top 10. There are undoubtedly lessons we can learn from them on how to encourage more women to enter our Parliament.

We also need younger voices. Across the Commonwealth, 60% of our people are aged under 30. Their voices could be a powerful driver of change. An important part of our role as Parliamentarians must be to encourage our young people to participate, to speak up and to engage on the issues that matter to them, be they climate change, job creation or cyber security.

Recently, HRH The Duke of Sussex, the Commonwealth Youth Ambassador, and I convened a meeting of youth leaders and their passion, vision and commitment to the Commonwealth was inspiring.

Indeed, if we reflect back to the Commonwealth Heads of Government meeting in London last year, many of the commitments were made with future generations in mind, and were designed to empower all our citizens. As Commonwealth Chair-in-Office since then, the UK



has been collaborating across all three pillars of the Commonwealth - the Commonwealth Secretariat, member states and Commonwealth organisations and networks - to deliver on those commitments, to create a fairer, more sustainable, more prosperous and secure future for all our citizens. For example:

- We are contributing an additional £1.8m to the Commonwealth Secretariat to support their important electoral observation work, and we are engaging with Commonwealth electoral management bodies, to help improve democratic processes in Commonwealth countries.
- We are funding the Commonwealth Partnership for Democracy (#CP4D) to support inclusive and accountable democracy. This unique programme brings together the Commonwealth Parliamentary Association and its UK Branch, the Commonwealth Local Government Forum, and the Westminster Foundation for Democracy. Last November, the project launched the updated Commonwealth Parliamentary Association Recommended Benchmarks for Democratic Legislatures, and it has already hosted a range of regional events to encourage political engagement, including one on women's political participation in Malaysia, on youth political participation in Uganda, and a workshop on Public Accounts Committees in Fiji.
- With UK funding, another consortium - the Equality and Justice Alliance, which is comprised of Commonwealth civil society groups with world-class legal and advocacy expertise - is working to create a fairer Commonwealth for all. The project is creating a cross-Commonwealth network of civil society champions and offering - to those countries

that wish it - technical assistance to reform laws that discriminate against, or fail to protect, women, girls and LGBT people.

Collaboration and Progress

Action has also been taken to respond to Commonwealth leaders' call last April 2018 for effective measures to eradicate forced labour, end modern slavery and human trafficking, and secure the prohibition and elimination of the worst forms of child labour by 2025.

Work by the Commonwealth Parliamentary Association UK has led to concrete actions from Commonwealth governments. For instance, Parliamentarians in Nigeria have improved their human trafficking legislation; Ugandan Parliamentarians are developing amendments to strengthen theirs; and the Malawian government has established a budget for its victim fund.

This work continues. Last month, Commonwealth Parliamentarians from across Africa and Asia attended a seminar in the UK Parliament on tackling modern slavery and human trafficking. It offered guidance on how to advocate against it, design legislation to counter it, and strengthen oversight through effective Parliamentary Committees.

These are just some examples of the kind of work that Parliamentarians can do to deliver on the CHOGM 2018 commitments. Delivery is important but so too is the way that we do it. Collaboration, mutual support, the exchange of ideas: this is the *Commonwealth* way. We will achieve more together than we ever could as individual countries. Solidarity, and the voice of 53 countries speaking as one, are powerful tools for change.

Solidarity and Celebration

That is why, as the UK Minister for the United Nations, I was proud to see the UK Prime Minister, Rt Hon. Theresa May, MP address



Image: Commonwealth Secretariat

the UN General Assembly last September on behalf of the Commonwealth, as Chair-in-Office. As an organisation representing over a quarter of the UN membership, it is important that the world hears our collective voice. On that occasion, the UK Prime Minister relayed an important message about the Commonwealth's shared commitment to work together within a rules-based international system to address shared global challenges.

There is, of course, much more to do. But, as we enter our second year as Chair-in-Office and work towards next year's CHOGM 2020 in Rwanda, I am confident that, together, the Commonwealth will continue not only to tackle the great challenges of our time but also to seize the great opportunities that lie ahead.

Over our time as Chair-in-Office, I very much hope our Rwandan colleagues will seek to involve Parliamentarians in scrutinising progress on the 2018 communiqué, and draw on their expertise to shape and support what emerges from Kigali in 2020. CPA UK's Commonwealth Parliamentarians' Forum in

Above: The Commonwealth Youth Ambassador, HRH The Duke of Sussex and the UK Prime Minister, Rt Hon. Theresa May, MP arrive at the Commonwealth Youth Forum, held in the margins of CHOGM 2018 in London, UK.

February 2018 started this important work, and there is much more to be gained through our continued collaboration.

So let us all celebrate this special anniversary, let us as Parliamentarians reaffirm our determination to work together across this family of nations, and let us look forward to another successful and collaborative 70 years. By working hand-in-hand - with Parliaments, with civil society and with business, we will achieve our most important shared goal - to improve the lives of all our Commonwealth family members around the globe.



70 YEARS ON: MOVING FORWARD TOGETHER WITHIN THE COMMONWEALTH OF NATIONS



Hon. Carmelo Abela, MP is Malta's Minister for Foreign Affairs and Trade Promotion. First elected to Parliament in 1996, having served as a local councillor in his hometown of Zejtun, he has held several senior roles in Parliament including Deputy Speaker. He was a Regional Representative for the CPA British Islands and Mediterranean Region on the CPA International Executive Committee for three years as well as Head of the Maltese Delegation of the Inter-Parliamentary Union and a Member of the Parliamentary Assembly of the OSCE.

On 26 April 2019, the Commonwealth celebrated its 70th Anniversary. On this date in 1949, leaders of the Commonwealth met in London and signed what we refer to as the London Declaration, a simple document, which saw the beginnings of a new Commonwealth redefining its future in the process. At this historic juncture, leaders decided that the British Commonwealth would henceforth be composed of a diverse Commonwealth of Nations, seeking progress by consensus on the basis of a set of shared values, where all members are equal and move forward together – leaving no one behind.

I feel privileged to form part of a rich and diverse community of nations as we celebrate an important anniversary of friendship and unity, symbolised by the theme chosen for this year: '*A Connected Commonwealth*'. It is through connectivity that the diversity of our Commonwealth, made up of very different countries spread across the globe, comes together to improve the lives of our peoples and drive our nations forward.

Commonwealth members are connected in many ways. As member countries, we are connected through the shared interests of making our nations prosperous. We are bound by our collective commitment to the fundamental values of democracy, human rights and the rule of law. With such a diverse union, the Commonwealth is able to look to the future with great confidence

and optimism as a result of the links that it has forged over the past 70 years, and thanks to this very network of cooperation and mutual support, all member countries are able contribute and profit. We strive constantly to keep up with the changing scenario on the international arena. Today's Commonwealth is demonstrably resilient, as it manages to keep up with the flux of its societies. This has been no mean feat.

With a population of 2.4 billion citizens, sixty percent of which are young people under thirty, we must continue to strive to invest in our societies and the wellbeing of our younger generation through education and civic engagement. It is only through engagement with our younger generations, by connecting and building bridges between our societies, will we genuinely have a connected Commonwealth that can truly deliver the prosperity, security, and stability that our future generation deserves. I am confident that we will all strive to continue to invest in this Commonwealth connection and friendship that has brought us together in the spirit of mutual support and cooperation.

Through this connectivity we must also continue to invest in the sustainable growth throughout the Commonwealth. We are doing by subscribing to the Sustainable Development Goals (SDGs) across the Commonwealth, by encouraging the protection of our natural environment, promoting trade and business connections not least through the Commonwealth business fora.

“With a population of 2.4 billion citizens, sixty percent of which are young people under thirty, we must continue to strive to invest in our societies and the wellbeing of our younger generation through education and civic engagement. It is only through engagement with our younger generations, by connecting and building bridges between our societies, will we genuinely have a connected Commonwealth that can truly deliver the prosperity, security, and stability that our future generation deserves.”



There are many ways to outline the unique composition of our Commonwealth and all that it stands for, but there can be no better way to celebrate the richness of its diversity than through such an important anniversary. In my role as Minister for Foreign Affairs and Trade Promotion of the Republic of Malta – a small archipelago of islands located in the heart of the Mediterranean, I cannot but reiterate the importance of the Commonwealth and its heritage. As a Commonwealth member state, Malta has had the privilege of hosting the Commonwealth Heads of Government (CHOGM) meeting twice in a span of ten years- where the leaders of all member countries gathered in the spirit of consensus.

Indeed, it is within the spirit of consensus and common action, that Malta has played host to various students hailing from different parts of the Commonwealth to undertake their studies in fields ranging from maritime law to the physical sciences, from humanities to management. Such endeavours have empowered students from all around the Commonwealth to forge a path within the development of their respective countries. This will in the years to come, be extended further to small states within the Commonwealth community.

Trade and Investment are a major connecting point for all 53 members of this family. In light of a rising sentiment towards protectionism, leaders at the Commonwealth Heads of Government Meeting (CHOGM) in London in 2018 expressed their strong support for the multilateral trading system and adopted a six-point Connectivity Agenda to boost trade and investment links across the Commonwealth. Such commitment outlines the benefits of intra-Commonwealth trading, also known as the

Commonwealth advantage, which above all ensures the integration of small, vulnerable and least developed countries and countries in sub-Saharan Africa, the Caribbean and the Pacific into the world economy.

Parliamentary diplomacy is also at the centre of the work of our Commonwealth. I am personally an ardent believer of parliamentary diplomacy. As Parliamentarians within such a diverse family, it is our duty to ensure that the Commonwealth Charter is at the centre of our work, to be truly of service to our electorate. It is our calling to ensure that women are effectively represented across all our activities and have an opportunity to contribute to and participate in our work. We must strive to ensure minority groups are well represented particularly those with differing social backgrounds or those with disabilities. We must also work to ensure that young people are given opportunities to learn, engage and participate actively in democracy and the work of Parliaments.

Moving forward, at this important milestone, we as Parliamentarians must continue to consider ways in which we can strengthen the core principles of democracy. We must work towards tangible action without confining ourselves to ideas or concepts. With support from the Commonwealth, we should look for innovative ways in which we can impact citizens. As we continue to interact and learn from each other, consideration should not only be given to parliamentary bureaucracy, but on the economic progress and development of all 53 countries of the Commonwealth in the collective spirit of progress.

With membership currently standing at approximately 180 Branches, both national and sub-national, the Commonwealth Parliamentary Association is in a unique position to share

expertise to strengthen good parliamentary governance; contributing to the development of all Commonwealth citizens.

As a small island state, we cannot but recognise the importance of climate change and the health of our oceans. Climate change is one of the foremost challenges for the modern Commonwealth, as a direct result of our fellow members from small island developing states (SIDS) which are at the forefront of the adverse effects of climate change threatening their very existence. The Commonwealth has shown time and time again during its 70 years of existence, that it is a dynamic organisation able to come together and act. When we speak of climate change, we cannot overlook its effects on the health of our oceans, which are being severely affected by anthropogenic activities. Single-use plastics and other forms of pollution are causing irreversible damage to life within our oceans and threaten their biodiversity. The waters that surround us are the main vital connecting link for a Commonwealth that truly has the well-being of oceans and seas at its heart. At the last CHOGM in London, all member countries of the Commonwealth recognised the importance of the conservation and sustainable use of the oceans, seas and

Above: The Malta Foreign Minister meets school students in the chamber of the Parliament of Malta during a recent Commonwealth Day 2019 event.



Image: Malta DOF/Pierre Sammut

marine resources for sustainable development through the Commonwealth Blue Charter. This is clearly another demonstration of what we can do together.

Malta is proud that during its Chair-in-Office, it created the much-needed momentum which developed into the successful outcomes of the United Nations Framework Convention on Climate Change (UNFCCC) COP21 more widely known as the historic 2015 Paris agreement on climate change. At the time Malta acted on the Commonwealth's behalf to push for further action to limit climate change and to adapt to its devastating effects.

Throughout the years, Malta has placed particular emphasis on the Commonwealth's thirty-one small states through the establishment of the Commonwealth Trade Finance Facility as well as the Commonwealth Small States Centre of Excellence. As these endeavours continue to flourish, we continue to deepen our investment in the Commonwealth family in achieving the targets we set collectively. Looking ahead,



70 YEARS ON: MOVING FORWARD TOGETHER WITHIN THE COMMONWEALTH OF NATIONS

Malta is eager to present itself as a genuine partner, alongside all other nations, in the Commonwealth, towards connection, friendship and cooperation.

Malta is a firm believer in the role that gender dynamics play in enabling sustainable development.

For this reason, we are proud to have championed and hosted the first Commonwealth Women's Forum, in the margins of the Commonwealth Heads of Government Meeting in 2015 in Malta. Today, this has become a permanent feature in the CHOGM week calendar. This forum continues to draw international delegates from the Commonwealth and the rest of the world to highlight women's positive political, economic and societal contributions and establish how women and girls will be key to building sustainable and resilient societies in our Commonwealth.

"I am confident that the Commonwealth will remain committed to its people for the decades to come and will continue to look to its future while strengthening its position on the international arena. It is our duty to remain committed to change and allow this friendship to flourish over the years to come."



Image: Commonwealth Secretariat

Our Commonwealth is unlike anything else out there. And this distinctiveness - stemming from 53 different countries spread across 5 different continents - evokes a desire to work collectively in a Commonwealth that values inclusiveness and opportunity. We therefore look forward to pursuing increasing collaboration with The Gambia that has re-joined the Commonwealth, after a five-year absence. Similarly, we look forward to welcoming The Maldives in the near future, within our family.

The year 2019 marks not only the 70th anniversary of the formation of the Commonwealth in its present configuration, but also the beginning of a new era in global connectivity with Commonwealth countries being at the forefront of it all. The last seven decades of friendship have forged old bonds of cooperation and friendship among the very diverse nations. In the very same spirit, the Commonwealth of Nations should strive to continue to strengthen these ties towards sustainable social, political and

economic development for all its citizens alike.

As a Commonwealth family, we rely on the very uniqueness of this forum, which is not replicated elsewhere in the world. Our discussion on the need to safeguard the well-being of the people of the Commonwealth has been repeated throughout the years. This resolve deserves our commitment at every CHOGM. It is this biennial event that culminates in a defining moment where we look to our future by learning from the past. We must be relentless in our path towards tangible action. Connectivity and Communication will continue to be central in securing the Commonwealth's relevance and very existence by actively leading and acting through example in finding solutions to today's global challenges.

I am confident that the Commonwealth will remain committed to its people for the decades to come and will continue to look to its future while strengthening its position on the international arena. It is our duty to remain committed to change

Above: Her Majesty Queen Elizabeth II, Head of the Commonwealth and Patron of the Commonwealth Parliamentary Association, with the Prime Minister of Malta, Hon. Dr Joseph Muscat, MP, arrives at the Commonwealth Heads of Government Meetings (CHOGM) in 2015, held in Malta

and allow this friendship to flourish over the years to come. The need to safeguard future generations is a common challenge which goes beyond our borders and this is why we as the Commonwealth family must continue to promote its message with a common voice to the world and emphasise the need for a more sustainable future.

Nothing must get in the way of our shared values while we continue to let our vision guide us to achieve our ultimate objectives. Significant anniversaries such as the one we are celebrating only serve to reignite dialogues, forge stronger bonds and bring us closer towards our destination on our common path.



CHOGM 2018 OUTCOMES: THE UNITED KINGDOM AS CHAIR-IN-OFFICE



Lord Chidgey of Hamble-le-Rice is a Member of the UK Parliament's House of Lords where he is Liberal Democrat Spokesman for African Affairs. He has previously served on the Select Committee for Foreign Affairs, International Development and Defence and he is Co-Chair of the Commonwealth All-Party Parliamentary Group in the UK Parliament. He is Chairman of the Commonwealth Policy Studies Centre and a Trustee of the Africa Europe Parliamentary Initiative. He was previously an MP in the UK House of Commons between 1994 to 2005.

As a precursor to the Commonwealth Heads of Government Meeting (CHOGM) 2018 in London, the UK Branch of the Commonwealth Parliamentary Association organised a Commonwealth Parliamentary Forum, which took place in London in late February 2018. Parliamentary representatives were invited from across the CPA's nine regions to a week-long Forum and in all, 80 delegates attended including the CPA Chairperson, Hon. Emilia Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon; and the Commonwealth Secretary-General, Rt Hon, Patricia Scotland, QC.

The principal aim was to facilitate engagement on the London CHOGM, to get Parliamentarians focused on that agenda, to shape their countries' priorities and approach, and then scrutinise and support their countries' performance against the commitments in the CHOGM final Communique. This envisaged an important on-going role of monitoring their Executive's input as part of their accountability to Parliament.

The CPA UK Branch has for some years regularly organised Commonwealth Seminars and Forums offering opportunities for Parliamentarians and officers to expand their experience and skills in democratic process. These reflected processes developing for the engagement of Parliamentarians in cooperation towards social, political, and economic development inclusively

and sustainably, on a global scale, under the auspices of the UN and OECD.

Since the Paris Declaration for Aid Effectiveness was endorsed in 2005, leading to the agreement in Accra of an Agenda for Action, there has been a steady increase in the recognition of the need to coordinate and to a degree regulate international development investment. The Fourth High Level Forum held in Busan in South Korea in 2011 consolidated a global '*Partnership for Effective Development Cooperation*' and established key principles of common goals of transparency and shared responsibility.

Included in the Busan Agenda was a Parliamentary Forum attended by Parliamentarians drawn from throughout the UN spectrum which met under my Chairmanship. At the end of our deliberations, a Parliamentary Memorandum¹ was produced, stressing the importance of engaging Parliamentarians in the process. I had the privilege of presenting the memorandum to the closing plenary session of the High-Level Forum.

The Busan global partnership agreed performance indicators, put forward by the UK and Rwanda, based on the Paris Declaration. The sixth indicator states that development assistance should be on budgets subject to parliamentary scrutiny. A target was set for 85% of development cooperation funding scheduled for disbursement to be recorded in the annual budgets

approved by the Parliaments of developing countries.

Thus, the Global Partnership recognised, not without opposition, that Parliaments and Parliamentarians had a significant role to play in monitoring the progress in effective development. In 2017, the indicators were refined to better reflect the challenges of the SDGs 2030

"The principal aim was to facilitate engagement on the London CHOGM, to get Parliamentarians focused on that agenda, to shape their countries' priorities and approach, and then scrutinise and support their countries' performance against the commitments in the CHOGM final Communique. This envisaged an important on-going role of monitoring their Executive's input as part of their accountability to Parliament."



CHOGM 2018 OUTCOMES: THE UNITED KINGDOM AS CHAIR-IN-OFFICE

agenda. In particular, there should be transparency on development cooperation with development budgets subject to parliamentary oversight and approval by national Legislatures. This is much in tune with the aims and ambitions of the CHOGM agenda.

The concept note prepared for the Commonwealth Parliamentary Forum provided a powerful approach linking the big challenges facing the Commonwealth to the scope for collaboration in sustainable development and the role of Parliamentarians in addressing these challenges. The Forum

“The unique role of Parliamentarians as custodians of the Commonwealth Charter and the Commonwealth Latimer House Principles was questioned with a call for the case for and against to be made and won through debate. Delegates decided in favour of the Commonwealth Charter, but called for it to be strengthened, expanded, modernised, reviewed, and planned, for the Commonwealth to become that ‘21st century uniting force for good’.”

aimed at contributing to the goal to revitalise the Commonwealth's importance and strengthening the crucial role of Parliamentarians.

The four 2018 Commonwealth Summit themes; *a more sustainable future; a fairer future; a more secure future; and a more prosperous future* were a constant reference throughout the Forum. The primary aim of the Forum was to facilitate parliamentary engagement by empowering Parliamentarians with capacity, confidence, and influence, particularly in addressing the SDGs. The proposed outputs of the Forum included a Commonwealth Parliamentary Forum Information Handbook and a final communique and statement of commitment.

The programme presentation gave prominence to a re-statement of the Commonwealth Latimer House Principles and the Commonwealth Charter. The project aims were highlighted, as were the UN Sustainable Development Goals (SDGs), and the Commonwealth facts and figures, linked to the themes of the Commonwealth Summit agenda. The opening sessions of the Forum raised the key questions of ‘*What were the expectations of the diaspora and youth from the outcomes of CHOGM?*’ and ‘*Where will the Commonwealth be, in 10, 20, and 30 years’ time?*’ The diversity of the Commonwealth was seen as a strength, with 53 nations, 2.4 billion people and over 2,000 cultures.

A robust debate took place on upholding the Commonwealth Charter or challenging it, and whether the Commonwealth of the 21st century could be a uniting force for good. The unique role of Parliamentarians as custodians of the Commonwealth Charter and the Commonwealth Latimer House Principles was questioned with a call for the case for and against to be made and won through debate.

Delegates decided in favour of the Commonwealth Charter, but called for it to be strengthened, expanded, modernised, reviewed, and planned, for the Commonwealth to become that “*21st century uniting force for good.*”

There was a consensus among the delegates that the full SDG Agenda 2030 would not be achieved without Parliamentarians' active involvement on such critical matters for national and global development. They needed to consider whether they should collectively focus on specific SDG targets and how they might decide how best to prioritise and how best to deliver.

The critical role of Parliaments was how to prioritise the SDGs and creating an economic system that addressed financing; implementation; and monitoring and accountability. There needed to be an evidence-based system and examples were given of the creation of SDG Secretariats and the creation of SDG Caucuses. There were calls for an ability to share common terms of reference and more recognition of the need to hire staff with greater levels of expertise than the hirers! It was recognised that the SDGs needed trillions of dollars to finance, but the rules had changed. The most important source of finance was now Domestic Resource.

In a live video keynote address from New York, the Deputy Secretary-General of the United Nations, Dr Amina Mohammed, began her remarks by stating that we had billions to invest but the capacity to only dispense them at a trickle. She believed that the CPA had a vital role to play in mobilising domestic resources. There was a consensus around the implementation and delivery of the SDGs, but what was less clear was how this will be financed. The Addis Ababa Agreement on Financing for Development was considered as was Parliaments'

role in pushing governments to meet commitments made towards the achievement of the SDGs.

The delegates at the Commonwealth Parliamentary Forum considered that the Commonwealth Charter puts parliamentary democracy at the heart of the Commonwealth. There was a clear need for a mechanism like a Parliamentarians Forum to ensure that Governments at future CHOGMs listened to their Parliaments. Delegates agreed a Forum Declaration and sent a letter on Climate Change to the Commonwealth Secretary-General and to the UK Prime Minister, as the current Chair-in-Office.

Towards the end of the Commonwealth Parliamentary Forum in February 2018, London suffered unseasonable but brisk light snow falls. One delegate, from Cape Town, South Africa, was heard to exclaim it was the first time she had seen snow. To which a delegate standing beside her responded “*I am from Ontario, Canada, and you call this snow?*”

I am fairly sure that Rwanda could provide a warmer welcome for a parliamentary forum as well as an ideal showcase for Kigali's magnificent infrastructure and proud record of women's representation.

The London Commonwealth Parliamentary Forum was the first of its kind, and preceding as it did the CHOGM 2018 in London, attracted considerable attention. From the start, it benefitted from the strong support from UK Government Ministers, with the UK Minister for the Commonwealth, Lord Ahmad of Wimbledon much in evidence at the Forum and in discussions with UK Parliamentarians at the earliest date.

To establish formally the UK Parliamentarians' engagement in the CHOGM process, the UK Minister established a ‘*CHOGM UK Parliamentary Delegation*’.



Image: CPA UK/Ed Telling Photography.

UK Foreign Office officials were briefed to draw up a Delegation Programme which allowed UK Parliamentarians full access to as many of the CHOGM events throughout the week as possible. A series of meetings were held pre-CHOGM at which the UK Minister and his team regularly updated UK Parliamentarians on evolving events and progress. This was supplemented by using a series of written and oral parliamentary questions to place on the record the programme developments.

Immediately post CHOGM 2018, the UK Parliament's attention turned to the UK Government's responsibilities as Commonwealth Chair-in-Office. This position requires the outgoing CHOGM host to take responsibility for progressing the commitments made in the Commonwealth Communique agreed under their stewardship, over a two-year period or until the

next CHOGM is initiated.

With the agreement of the UK Government, the Parliamentary Delegation was retained, with the intention of meeting regularly with the Ministerial team to monitor progress as Chair-in-Office. The UK Government has produced scoping reports providing information on the progress made and discussions are in hand to establish further details.

Senior Members of Parliament in both Houses of the UK Parliament have established an informal group of 'Friends of the Commonwealth' who meet regularly to coordinate their activities in parliamentary scrutiny. To this end, a structured series of written and oral parliamentary questions continue to be tabled together with Member-sponsored debates in the House of Commons and in the House of Lords. The UK Government in turn tabled a lengthy debate to 'Take note of the continuing and evolving

role of the Commonwealth and the United Kingdom's relationship with it' in the House of Lords.

In my contribution I drew attention to the fact that there had been three major debates on the Commonwealth in the UK Parliament over the previous twelve months. They had plotted the aspirations and courses of the themes set out for CHOGM 2018 at the beginning of the process and the challenges and objectives described in the CHOGM Communique. They had also, by default, highlighted issues that appeared to have 'dropped below the radar', which the debate allowed Parliamentarians to highlight.

In the CHOGM Communique, priorities were set out for the next two years, which coincided with the UK's period as Chair-in-Office. The UK would play an active role in the important work of rejuvenating the Commonwealth, which would require collective

Above: The first Commonwealth Parliamentarians Forum, took place in London, UK in February 2018 ahead of the CHOGM 2018 later that year.

effort for years to come and member states being supported and sustained over the coming years in honouring their CHOGM commitments.

The engagement between the UK Government and UK Parliament, particularly in the House of Lords, on the post-CHOGM Chair-in-Office phase of Commonwealth developments leans towards an inquisitorial rather than adversarial process, allowing the engagement of both Parliament and Parliamentarians to be fully considered.

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A PEOPLES' COMMONWEALTH: LOOKING BEYOND GOVERNMENTS



Lord Collins of Highbury is the Shadow Minister for Foreign and Commonwealth Affairs and International Development in the UK Parliament's House of Lords. He was General Secretary of the Labour Party (2008-2011) and Assistant General Secretary of the Transport and General Workers Union and in 2007, helped to steer the TGWU into a merger with Amicus, creating Unite, one of the largest UK trade unions. He is an active member of the UK All-Party Parliamentary Group (APPG) on Global LGBT+ Rights and is also Patron of Positive East, London's largest HIV charity.

Across the world the Extinction Rebellion and other allies have confronted politicians with a call for public engagement in discussions about both the threat of climate change and the action necessary. As UK Member of Parliament, Ed Milliband, MP put it *"for too long people have been shut out of the climate debate and made to feel powerless. That must change."*

In recent weeks the vast majority of climate strikers taking action being of school age aren't allowed to vote. As 16-year-old Swedish climate activist, Greta Thunberg wrote in a recent Guardian newspaper article: *"Despite watching the climate crisis unfold, despite knowing the facts, we aren't allowed to have a say in who makes the decisions about climate change. And then ask yourself this: wouldn't you go on strike too, if you thought doing so could help protect your own future?"*¹

The worst effects of climate change are disproportionately felt by the world's most vulnerable communities. That's why 2019's annual Commonwealth theme 'A Connected Commonwealth', is so important for encouraging collaboration among the people, Governments and institutions of the

Commonwealth to protect natural resources and promote inclusive economic empowerment so that all people - particularly women, young people and marginalised communities - can benefit equally. 2.4 billion people, a third of the world's population is critical in supporting each member state in addressing these challenges.

This year's themes builds on the goals agreed at 2018 Commonwealth Heads of Government Meeting (CHOGM), most notably adopting the Commonwealth Blue Charter on sustainable development and protection of the world's oceans; committing to ratify and implement the Convention on the Elimination of All Forms of Discrimination against Women; adopting the *Commonwealth Cyber Declaration* with a common commitment to an open, democratic, peaceful and secure internet; and respecting human rights and freedom of expression.

All of this is complementary to the United Nations 2030 Agenda, specifically the commitment to *leave no one behind*.

The UK as the Chair-in-Office for two years has a key delivery role in meeting the goals agreed at CHOGM. The UK Foreign Secretary, Rt Hon. Jeremy Hunt, MP, at the beginning of this year, stated the UK's determination to work closely with its partners to maintain momentum following CHOGM 2018 and to revitalise and reform the Commonwealth.

In the UK Parliament in March 2019, UK Foreign Office Minister, Rt Hon. Harriett Baldwin, MP acknowledged this was *"a huge agenda"* with *"lots more to do"* summarising the Government's objectives in four words: *"delivery, voice, solidarity and reform."* Delivery, she argued, was about implementing over £500 million of projects and programmes, including £200 million for the support of girls' education in nine





Commonwealth countries.

The UK Foreign Office Minister also mentioned work in encouraging, *"collaboration between civil society and Commonwealth countries wishing to address legislation that discriminates on the grounds of sex, sexual orientation and gender identity."* She highlighted the work of the Westminster Foundation for Democracy in leading the Commonwealth Partnership for Democracy (CP4D) and paid tribute to the Commonwealth Parliamentary Association, sentiments I wholeheartedly share.

Delivery cannot be left to Governments alone, that's why we need to nurture and develop all aspects of civil society. The CPA does amazing work across the Commonwealth to advocate for and provide training to achieve more inclusive and effective Parliaments. It also reaches out beyond that and beyond formal structures, and recently I had the good fortune to mark Commonwealth Day 2019 by meeting young Commonwealth citizens on youth-led climate activism. Like the climate strikers they did not see the issue as being simply about the action of their Governments. It was also about how they influence everyone within their society, including the private sector to effect change.

The ingredients of a thriving democracy are not limited to Parliaments and Parliamentarians. Civil society organisations such as churches and trade unions have been and remain an important part of democratic life and are frequently the only guarantor of human rights in society. The last two Commonwealth summits reaffirmed the commitment to promote and protect all human rights and fundamental freedoms, and to support the empowerment of women and girls. They recognised the economic potential that can be unlocked by tackling

discrimination and exclusion.

Yet in the Commonwealth many women, disabled people and too many minorities are discriminated against and denied access to their fair share of goods, services and opportunity.

One of the UK's CHOGM commitments was additional funded work by the Westminster Foundation for Democracy in promoting democratic engagement, particularly in civil society, I am still waiting to hear how this will engage with trade unions as well. Far too often the UK Government talks about civil society without even mentioning trade unions and their importance in defending human rights.

Also, despite the UK Prime Minister's welcome speech at the CHOGM 2018 summit, in which she apologised for the colonial imposition of anti-LGBT+ laws, they still persist in many Commonwealth countries despite their commitment to the Commonwealth Charter.

A remarkable feature of CHOGM 2018 was the opportunity for LGBT+ activists to engage with a broad range of civil society actors. At the youth, business, women's and civil society fora, diversity, equality and LGBT+ discrimination was addressed within each, recognising the connectivity between all four as well as a need to address the multiplicity of discrimination. The high attendance of LGBT+ activists from around the Commonwealth enabling this engagement in the fora was in no small part to the welcome support from the UK for the Commonwealth Equality Network, which has representatives across the Commonwealth - local LGBT+ activists who are engaged not just with their Governments but with all aspects of civil society.

At CHOGM 2018, I organised with the support of the Trades Union Congress (TUC), a forum for Commonwealth trade



Images: Commonwealth Secretariat.

unionists to talk workplace rights, focusing particularly on diversity and LGBT+ rights. Many may have come to that meeting with a view that it was something that they did not want to be part of, but they left with a better understanding of why equality and diversity are so important to economic success. By making the case for diversity and equality, we are saying that business will do better, and people will be more productive. Something I have asked the UK Government to tell its trade envoys to stress in their dialogue with Governments and business.

But as recent weeks have highlighted, our role as Parliamentarians in the Commonwealth must not simply be about Governments and governance; it is actually about how we engage people and the organisations that represent them, and of course, that includes faith groups - some 80% of the world's population are in faith groups - but it also means that trade unions,

workers' organisations and women's groups have a critical role to play. We can do so much more if we each respect each other's roles, not just ensuring that our own voice is heard. We can do so much more if we amplify each other's voices so that we have a better understanding of our respective roles.

When we talk about tackling under representation and discrimination it is more than offering a seat at the table, important as that is. It means dealing with the cultural and structural barriers that prevent groups in society from participating. The Commonwealth and its institutions must seek to break down these barriers instead of reinforcing them.

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BRUNEI HAS EXPOSED COMMONWEALTH COUNTRIES' DEEP DISCRIMINATION AGAINST LGBT+ PEOPLE: A VIEW FROM AUSTRALIA



Hon. Chris Steel, MLA is the Minister for Community Services and Multicultural Affairs for the Australian Capital Territory (ACT) Government and the Member for Murrumbidgee in the ACT Legislative Assembly since 2016. Prior to entering politics, Chris was an education advocate at Early Childhood Australia and has previously worked in both the Australian Government and ACT Government focusing on a range of social policy areas. He holds degrees in law and arts from the Australian National University.

In 2014, Commonwealth member, the Kingdom of Brunei Darussalam enacted the Syariah Penal Code Order (SPCO). This sharia law penal code came into effect on 3 April 2019 sparking international attention and concern about human rights implications. The new laws have also resulted in boycotts of Royal Brunei airlines, and various hotels around the world owned by the Brunei Investment Agency, a government-owned corporation that reports to the Ministry of Finance.

The penal code could see people executed for blasphemy, sodomy and adultery. While the code is not a replacement of the common law system; however, its supplementary powers are applicable to everyone in Brunei to varying degrees.

Laws that may result in the stoning of people to death, or hanging, or arm amputation or otherwise, deserve the protest of all CPA Members as a gross violation of human rights. It is pleasing to see that the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC has strongly condemned Brunei on this matter when she said: *"I have communicated my concern to the Government of Brunei, strongly urging it to reconsider the introduction of the punishments proposed under the new penal code which, if implemented in its current form, will potentially bring into effect cruel and inhuman punishments which contravene international human rights law and standards."*¹

The Commonwealth Parliamentary Association should also communicate its unreserved

condemnation of Brunei Darussalam's penal code, consistent with the CPA's core value; *valuing fundamental human rights*.

It is important to remind ourselves that human rights were established in the Universal Declaration of Human Rights as a response to the atrocities of World War Two, which included atrocities against people from the LGBT+ community.

Free & Equal, the United Nations organisation for LGBT+ equality explains that *"the equality and non-discrimination guarantee provided by international human rights law applies to all people, regardless of sex, sexual orientation and gender identity or 'other status.'* *There is no fine print, no hidden exemption clause, in any of our human rights treaties that might allow a State to guarantee full rights to some but withhold them from others purely on the basis of sexual orientation and gender identity."*²

In making a statement against the penal code changes in Brunei, we must also recognise that many of our member jurisdictions also have problematic laws which directly discriminate against gay people. Thirty-six of the fifty-three countries in the Commonwealth continue to criminalise same-sex acts.

Brunei has shone light on other CPA member Branches legal discrimination against gay people which also includes laws which could see people executed based on their sexuality or otherwise discriminate against the LGBT+ community.

Anti-gay laws in the Commonwealth are a remnant from the colonial legacy of the United

Kingdom. Westminster has since removed these outdated laws, and at the recent Commonwealth Heads of Government Meeting (CHOGM) in London in 2018, the UK Prime Minister, Rt Hon. Theresa May, MP acknowledged this terrible legacy and urged Commonwealth countries to reform their laws: *"As the United Kingdom's Prime Minister, I deeply regret both the fact that such laws were introduced and the legacy of discrimination, violence and death that persists today."*³

Over the past few decades, Parliaments around the Commonwealth including Australia's state and territory Parliaments have reversed the colonial legacy of discrimination against gay people. Just recently, in 2018, India's High Court struck down bans on consensual gay sex with Chief Justice Dipak Misra saying the law was *"irrational, indefensible and manifestly arbitrary."*⁴

The colonial legacy is no longer an excuse, discrimination against LGBT+ people is totally indefensible and needs to change in all Commonwealth countries.

Now I recognise that it is not common place for CPA Members to tell other Parliamentarians what to do in their own jurisdictions. We are a Commonwealth where we embrace our diversity, and where we exchange ideas and best practices in the governance of our societies. But we can no longer ignore the violation of universal human rights which we hold as fundamental. The Kingdom of Brunei called for *"tolerance and respect"* of its sovereignty and values regarding its penal code.



However, human rights transcend borders and human rights abuses cannot be tolerated.

The European Parliament has also overwhelmingly condemned Brunei's implementation of the Sharia penal code.⁵

The Brunei Government responded in a letter from the Brunei Foreign Minister to the United Nations in Geneva by claiming: *"The SPCO does not criminalise nor has any intention to victimise a person's status based on sexual orientation or belief, including same sex relations. The criminalisation of adultery and sodomy is to safeguard the sanctity of family lineage and marriage of individual Muslims, particularly women. The offences, therefore will not apply to non-Muslims unless the act of adultery or sodomy is committed with a Muslim."*⁶

It is not good enough to claim these criminal laws are rarely enforced. If they are not enforced, (because doing so would be incredibly barbaric) then they should be removed from statute. No one, Muslim or otherwise, should be discriminated against based on law, simply for being who they are.

We also have to ask ourselves, if this discrimination occurred against another group or religion would we accept it? Why is it that discrimination is still allowed against people who are not even making a choice, but are *gay* or are *lesbian*?

As an organisation, the CPA should address the existence of laws which persecute our LGBT+ communities in member countries. However, the plight of LGBT+ people has been notably absent from the agenda at CPA conferences. It is particularly difficult when our conferences are held in jurisdictions which legally discriminate against gay people. And it is especially difficult for LGBT+ CPA Parliamentarians to raise these matters at these conferences as delegates, when that fear exists about the law of the host country.

This is a challenging conversation to have for

the Commonwealth. But as legislators, in the Westminster tradition, we are used to difficult conversations and we should engage in respectful and professional dialogue on these issues at our conferences.

The Commonwealth Parliamentary Association has a lot to be proud about. The CPA's work on women's issues and tackling discrimination faced by women and girls is commendable. However, the CPA's work has not focused on other groups which face legal discrimination like the LGBT+ community. This must change.

UK MP and Shadow Foreign Secretary, Rt Hon. Emily Thornberry has called on the British government to suspend Brunei from the Commonwealth until it revokes its new penal code.⁷

Whether or not this eventuates, we should start a discussion in the CPA on how we can work together as Commonwealth Legislators based on our shared values, to improve the position LGBT+ people in our societies by removing discrimination in our laws.

This is a discussion about how we create inclusive societies where people from all walks of life can live

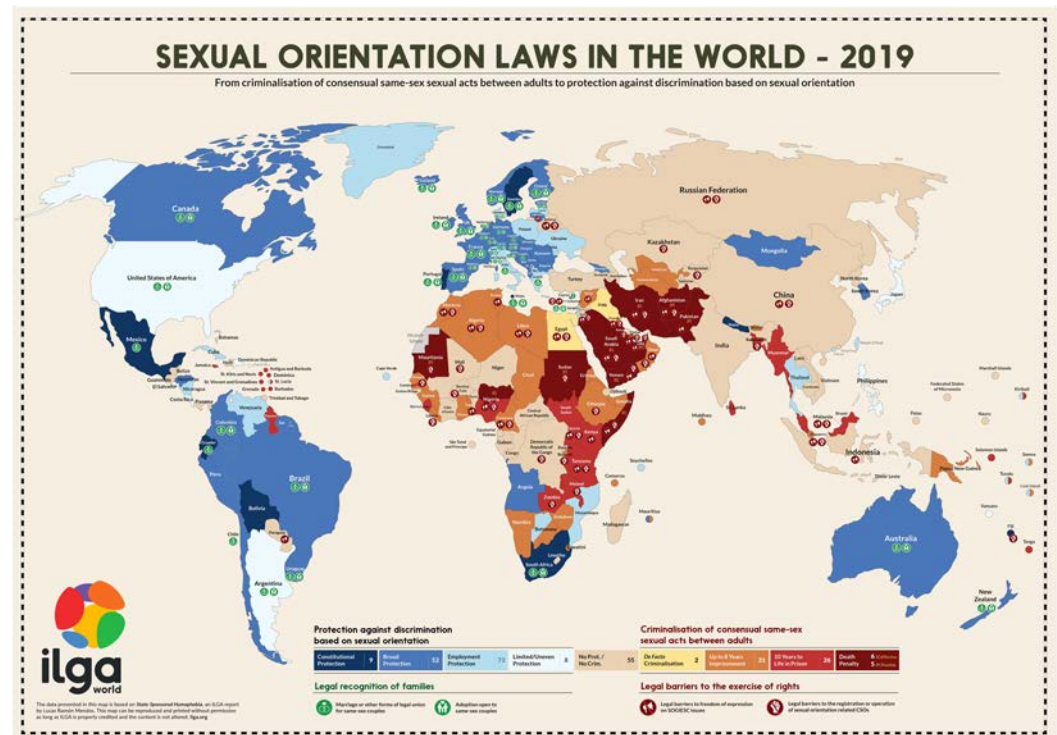
in peace, regardless of their gender or sexuality, benefiting everyone. Millions of gay people live in the Commonwealth – they are our sons and daughters, sisters and brothers, friends and relatives. No Commonwealth citizen should live in fear based on who they are, or be put to death. They should have the same enjoyment of their fundamental rights as everyone else.

Implementing our stated values in our laws, our commitment to fundamental rights, is something that we as Commonwealth Parliamentarians can embrace. And as Legislators we also have the power to do something about it.

In the Australian Capital Territory, we have engaged an NGO, the Human Rights Law Centre, to review all of our legislation to ensure that any remaining discrimination against LGBT+ people is identified so we can take further steps to remove discrimination and ensure every citizen regardless of their gender or sexuality is included in our community. I look forward to updating the CPA on the outcome of the review.

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This ILGA map is based on a 2019 ILGA report by Lucas Ramón Mendos. For more information and to see the map in full detail please visit <https://ilga.org/maps-sexual-orientation-laws>. Published with kind permission of the ILGA.



POLITICAL AND PROCEDURAL CHALLENGES OF A POST- CONFLICT PARLIAMENT: BOUGAINVILLE'S EXPERIENCE



Hon. Simon G. Pentanu, MHR is the Speaker of the Bougainville House of Representatives. He has a wealth of parliamentary experience having joined the pre-independence Papua New Guinea House of Assembly as a simultaneous interpreter in 1969. He has held various appointments in a parliamentary career spanning 25 years including Clerk of the Papua New Guinea Parliament from 1983 to 1993.

In this article, I want to share the experience of presiding over and participating in a Legislature established as part of a political settlement of the worst violent conflict ever to have occurred amongst Pacific Islands peoples.

This was the Bougainville conflict. From 1988 to 1997, this conflict caused thousands of deaths, many more injuries, displacement of more than a third of the population, and destruction of public infrastructure and productive capacity. It also resulted in the June 1990 suspension of Bougainville's elected provincial government, which occurred just a few weeks after rebel leader, Francis Ona, had made a Unilateral Declaration of Bougainville's independence on May 17 1990.

Even before the experience of this terrible conflict, Bougainville had a history of resisting central control. As the northern most part of the Solomon Islands, Bougainville has long been a reluctant part of Papua New Guinea. It was a part of German New Guinea from 1884 to 1914, but the first German administrative station was only established in 1905. During the 20th century, Bougainvilleans for the first time began mixing with people from elsewhere in Papua New Guinea.

During the period after World War Two, political concerns became associated with that identity. Resentment of apparent neglect of Bougainville by the Australian colonial government that took over from Germany after the First World War, and links to their cousins in the neighbouring western parts of the Solomon Islands saw some post-

Second World War discussion of the possible separation of Bougainville from Papua New Guinea. From the late 1960s, public calls began to be made for a referendum on independence. This push by young educated leaders was soon diverted into demands for autonomy within Papua New Guinea, and for a share of the revenue from the huge Panguna copper and gold mine that had begun operating in Bougainville in 1972. The demand for autonomy led to the 1973-74 agreement by the Papua New Guinea government on establishing a provincial government for Bougainville. But arguments between Bougainville and the National Government over Bougainville's share of mining revenue saw frustrated Bougainville leaders making their first Unilateral Declaration of Independence on 1st September 1975 – just days before Papua New Guinea itself became independent. When no international recognition was forthcoming, six months of negotiation saw agreement on a stronger provincial government system, and the transfer to Bougainville of the mining royalties previously received by the Papua New Guinea Government.

Bougainville's provincial government – the North Solomons Provincial Government – was generally quite successful. It operated under its own provincial constitution, which included provision for a Legislature, and for a position of Speaker selected by the Legislature from outside of the elected Members. The aim of this arrangement was to ensure the neutrality of the Speaker. The North Solomons Provincial

Assembly was well regarded.

However, by the mid-1980s, frustration was growing amongst many Bougainvilleans about the lack of power of the North Solomons government in relation to mining, the environmental damage of mining, land issues, and the impacts of the many non-Bougainvilleans going to Bougainville because of the strong economy there, but often squatting on customarily owned land. It was these concerns that eventually led to the conflict that began in 1988, and the June 1990 suspension by the Papua New Guinea National Government of the North Solomons Provincial Government. The suspension occurred a few weeks after Papua New Guinea security forces withdrew from Bougainville under a March 1990 ceasefire, which left the rebels, by now known as the Bougainville Revolutionary Army (or BRA) in control of Bougainville.

Although the suspension of the Provincial Government meant that there was no longer a Bougainville government operating under Papua New Guinea law, there were important efforts to establish government arrangements. In particular, the BRA soon moved to establish its own government, which eventually became known as the Bougainville Interim Government (or BIG). The BIG was led by Ona (who was a Panguna landowner), but his Deputy was the premier of the suspended provincial government. The BIG had limited control over large parts of Bougainville, largely because of internal conflict amongst Bougainvilleans that had



begun to emerge from the time the Papua New Guinea forces withdrew from Bougainville in March 1990. By September 1990, the intensifying internal conflict saw communities that were suffering from the internal conflict calling on Papua New Guinea security forces to return. When this happened, local BRA elements began supporting the Papua New Guinea security forces, eventually becoming known as the Bougainville Resistance Forces (BRF).

The conflict was costly - in terms of lives lost (estimates vary from 3,000 to 20,000), people displaced, destruction of government infrastructure and private property, and trauma suffered by many people. Deaths included that of the Premier of the Bougainville Provincial Government, after it was re-established in 1995.

After an inconclusive peace conference in October 1994, a former National Court judge from Bougainville, Theodore Miriung, emerged as a moderate leader trying to unite Bougainvilleans in negotiating a political settlement with Papua New Guinea. He was also working towards re-establishing the basic institutions of self-government for Bougainvilleans. In terms of his work towards a political settlement, in early 1995 he persuaded the National Government to lift the suspension of Bougainville's provincial government, which was renamed the Bougainville Transitional Government (BTG). So this meant there was a provincial government established under Papua New Guinea law and a rebel BIG which was still the government for rebel-controlled areas. There was no equivalent of the position of Speaker in the BIG, but the BTG had a Speaker.

Miriung became the Premier of the BTG, and was a major player in moves to get the two governments and the leaders of the opposing Bougainvillean armed groups – the BRA and the BRF – to take part in peace talks in Cairns, Australia,



The Bougainville House of Representatives.

Image: UNDP Pacific

late in 1995. Unfortunately, BRA and BIG leaders returning for the second of those talks were ambushed by Papua New Guinea forces, and the conflict escalated in the next 12 months. Then in 1997, the action of the Papua New Guinea Army to oust the Sandline mercenaries that the Papua New Guinea government engaged in an attempt to end the conflict, helped change BRA attitudes towards the army, and provide the space for moderate leaders on both sides of the internal Bougainville conflict to renew the talks that had begun in Cairns, Australia, in 1995.

The renewed peace process began with talks amongst Bougainvilleans held at the Burnham military barracks in New Zealand. There the opposing Bougainville groups established a degree of trust, and agreed to negotiate with Papua New Guinea for a political solution to the conflict. In October, a second round of talks at Burnham, this time involving Papua New Guinea as well as the opposing Bougainville groups resulted in a truce, and to an agreement of an intervention by an unarmed regional force to monitor the ceasefire.

Then in a third round of talks in New Zealand, this time at Lincoln,

agreement was reached on a ceasefire, and on an additional international intervention, in the form of a small United Nations Observer Mission. The Lincoln talks also agreed on establishing a Bougainville 'reconciliation' government, intended to bring together the opposing Bougainville factions into a united government.

There were some difficulties in establishing the reconciliation government. First, Francis Ona, leader of the BRA and the BIG, refused to support the whole peace process, claiming Bougainville was already independent under a unilateral declaration of independence that he had made in 1990. Second, three of Bougainville's four national level MPs linked up with some BRF leaders and some leaders from Buka Island to oppose initial steps towards establishing the reconciliation government. They did this mainly because of a complicated set of problems involved in setting up the Bougainville Reconciliation Government.

Nevertheless, progress towards establishing the reconciliation government continued, through elections in May 1999 for a body called the Bougainville Peoples'

Congress (BPC). The BPC, had more than 100 members, who represented all areas and most factions. It had no basis in law, but rather was established under an agreement between the Bougainville leaders and the National Government. The BPC had a Speaker, which demonstrated a renewal of commitment to a parliamentary body being vested with the authority to make decisions on behalf of the people. By December 1999, the split of the 3 MPs and their supporters was resolved, this time in part through a court decision that ended a complex dispute about the legal basis for the Bougainville provincial government. That dispute had been part of the reasons for the 3 MPs and their supporters splitting off from those supporting the establishment of the BPC. The court decision saw one of the MPs, John Momis, becoming the Governor of the re-established provincial government, now called the Bougainville Interim Provincial Government (BIPG). The leaders of the BPC and the BIPG agreed to work together.

The partnership between the BPC and the BIPG continued from the end of 1999 until June 2005. During the first part of this process, in the two years



POLITICAL AND PROCEDURAL CHALLENGES OF A POST-CONFLICT PARLIAMENT: BOUGAINVILLE'S EXPERIENCE

from mid-1999 to August 2001, the parties negotiated for a comprehensive political settlement. The negotiations were difficult, but eventually reached agreement on a complex set of compromises in the Bougainville Peace Agreement. The long and detailed agreement has three main pillars. The first is autonomy for Bougainville. The second is demilitarisation of Bougainville. The third is a referendum for Bougainvilleans on independence which must be held before the middle of 2020.

The autonomy and referendum arrangements are provided for under Papua New Guinea Constitutional Laws that give effect to the Bougainville Peace Agreement. Under those Constitutional Laws, Bougainvilleans were given the authority to make their own Bougainville Constitution providing for the structures and procedures for a new Bougainville Government – this time called the Autonomous Bougainville Government (the ABG). The Constitution was developed by a broadly representative Bougainville Constitutional Commission (BCC) – it included representatives of all regions as well as nominated representatives of former combatants and women.

The BCC gave careful attention to the composition of the ABG's Legislature – the House of Representatives. The Constitution provides for representation of our people through representatives of 33 local constituencies, as well as three regional constituencies with two Members each – one women's representative, and one former combatant's representative. All voters cast votes for the women and ex-combatant representatives. All people vote for a President, who sits in the Legislature, rather like a Prime Minister.

The 3 seats for ex-combatants recognise the roles played by combatants in getting Bougainville to the point where its future political status will be

the subject of a referendum. The existence of those 3 seats continues only until the referendum on independence.

In terms of gender issues, the Bougainville House of Representatives is unusual in having three regional seats reserved for women. The seats for women are significant, reflecting the important role played by women in the Bougainville peace process. While most Bougainville societies are matrilineal, they are also quite patriarchal, with it generally being accepted that women should not play major roles in public life. The reserved seats for women are important in terms of helping to change perceptions about what public roles it is appropriate for women to play. As Speaker of the House of Representatives, I see it as part of my role to give recognition to female members, and always call on them should they wish to speak.

In addition, during the current term of the House, an Office of Gender Equality has been established, as has a Parliamentary Committee on Gender Equality, and is in the process of establishing a Committee on Human Rights, which is anticipated to give particular attention to gender issues. I should also mention that my Deputy Speaker, Francesca Semoso, selected by the House from amongst its Members, is a female Member of the House.

The BCC also provided for a position of Speaker, and stated that it '*considered that the issue of independence of the Speaker was so important that he or she should not be involved in electoral politics and [so] should be selected from outside of the House of Representatives*' (BCC Final Report, 1994, p. 171).

In my view, although this was not explicitly stated by the BCC, part of its thinking about the need for real visibility of the independence of the Speaker was Bougainville's post-conflict realities. It was a situation where deep divisions and opposing

factions was a recent and raw experience, and the visible independence of the Speaker in managing a House comprised of key leaders, many of whom had been involved in factions and divisions, was very important.

Once a Speaker is appointed, he or she becomes a Member of the House, but has no right to vote except if there is an equality of votes on any matter under consideration by the House, or where an additional vote is needed to constitute a majority vote greater than a simple majority vote that is required by the Constitution or by the Standing Orders.

The Standing Orders for the new House were developed with the considerable assistance of the New Zealand Parliament. They were later further developed with assistance through the New South Wales Legislative Assembly, which is a twinning partner with the Bougainville House of Representatives. The Standing Orders provide for normal legislative procedures for dealing with proposed laws, and generally for the proper conduct of debate.

While on the surface it often appears that the Bougainville House operates like a normal Legislature, on closer examination the post-conflict situation becomes evident. One reason for that is that the Bougainville Peace Agreement which put a complete end to the conflict provides not only for autonomy but also for a referendum on independence, which now must be held no later than June 2020.

So as Speaker, I often preside over debates about the political future of Bougainville, and whether it should remain part of Papua New Guinea or become independent.

Such debates also reflect the significant roles that all the Members of the House are taking in preparing for the referendum. In fact, a motion of the House passed in 2016 called on each Member to take responsibility, and play a leadership role, in getting to a point where their constituency can

be declared 'referendum-ready'. This status of 'referendum ready' includes being able to declare that all major reconciliations required in the constituency have been completed, and that full disposal of all weapons in the constituency has occurred. Members are required to report regularly to the House about their 'referendum-ready' activities.

The Bougainville Constitution makes no specific provision for an opposition grouping in the House of Representatives, though in fact there would be nothing to prevent a group becoming the opposition to government if they so wished. Rather, the general approach of the House is to deal with matters by way of consensus. This does not prevent particular Members at times being quite critical of particular measures the Executive government is proposing, or asking questions that are intended to be critical of government, or directed to holding government to account. As Speaker, I often need to call on particular Members of the House that I know have strongly held views, which they might not otherwise feel they should express. I often know that they hold such views because my door is always open to Members of the House, and I find that they often express strong views to me on issues of importance. I think that the absence of an opposition in many ways reflects the culture of Bougainville, which places a high value on consensus decision-making, and also reflects the desire of post-conflict Bougainville to see less division and more consensus.

The House has important roles in giving effect to the Peace Agreement. The arrangements for both autonomy and the referendum are in large part centred around the timelines for the referendum, for in implementing autonomy, we are putting in place the alternative to independence. So there has been strong interest in Bougainville, reflected in the House, for the highest possible level of autonomy to be obtained before the referendum is held, so that voters in



the referendum have a real choice to make – between independence, on the one hand, and the best possible autonomy, on the other hand. The House plays an important role in the implementation of autonomy, because the passing of legislation is the way in which new powers and functions are finally transferred to the ABG. With the transfer of powers and functions happening much more slowly than was expected when the BPA was signed, there is frustration evident amongst Members of the House.

So the House needs a good understanding with the executive government. The fact that we operate with a Westminster system where all Members of the Executive are also Members of the House provides a good basis for their working together. But in addition we have developed an informal arrangement for encouraging greater cooperation between the Legislature and the Executive. This occurs through 'seminars' that we hold in the premises of the House, when there are major issues of real significance to Bougainville to discuss. Examples include day-long seminars we have held on the impacts of the June 2016 decision of Rio Tinto to cease its investment in its majority-owned subsidiary, Bougainville Copper Ltd, and the issues involved in the draft Bougainville Mining Act which was being considered by the House in 2015. The seminars allow long debates about important issues which can be held outside the constraints of Standing Orders, and with participation of experts and others who are not Members of the House.

We are making additional arrangements for other seminars intended to promote better understanding by the House of the arrangements for the forthcoming referendum. As Speaker, I have encouraged these seminars, which involve international experts who have been engaged by the PNG National Research Institute to do

research on a number of aspects of the referendum arrangements. At my suggestion these seminars have been held in the chamber where the House of Representatives sits. Part of the reason for the choice of venue is to encourage all Members of the House to attend, and to inform themselves as fully as possible about the referendum in ways that are outside the tradition meetings of a Parliament.

It has been interesting to me to find that I need a close relationship with the Executive government. I, at times, provide advice and guidance to the Executive. The President at times consults me on significant issues, and I regularly brief him on issues that I become aware of. When the ABG is asked to provide representation at national level conferences, I am asked to provide names from the membership of the House.

As Speaker, I also provide a line of communication between the Bougainville House and the National Parliament, particularly over issues that could be relevant to the role that Parliament should eventually play through having ultimate decision-making authority concerning the outcome of the referendum. For example, I have helped facilitate the visits to Bougainville of the National Parliament's bi-partisan Committee on Bougainville. My links with the National Parliament are helped by the fact that I was, for a number of years, the Clerk to the National Parliament. We have signed an MOU on cooperation between the Bougainville House and the National Parliament.

One of the programs involving the Speaker and the Parliamentary service involves reaching out to Bougainvillian youth, mainly in the senior High Schools through a Speakers outreach program which explains the role of the Bougainville Parliament, the roles of Members of the Parliament and of the Bougainville Executive, and the referendum. It involves

answering a lot of questions and comments. It is a program that seems to me to have been very well received in all the schools that have so far participated.

As the referendum on Bougainville's future political status approaches, the House is spending more and more time discussing issues connected with the Referendum. This includes regular reporting by Members on their activities in relation to constituencies being declared referendum ready, and debating regular reports on referendum preparations presented by the ABG's Minister for Peace Agreement Implementation.

Conclusions

The Autonomous Bougainville Government and its House of Representatives operate in a post-conflict situation where a political settlement that ended the conflict is still in the process of being implemented. Despite the destruction and divisions caused by the conflict, during and after the conflict there have been consistent efforts made to maintain or re-establish representative political institutions to make decisions on behalf of the people, and there was a consistent support for a Presiding Officer who was entirely neutral, and hopefully fair and impartial, by being selected from outside the Legislature.

The composition of the Bougainville House of Representatives reflects the post-conflict situation, as does much of the work of the House. The position of Speaker being drawn from outside the House is intended to emphasise the intended neutrality of the position, and that neutrality is especially valued in a situation still recovering from a violent conflict that involved deep divisions amongst Bougainvillians. Various aspects of the roles I play as Speaker reflect the particular needs of a post-conflict situation.

One important aspect of our

post-conflict situation is that we are working to a constitutional deadline for the holding of the referendum, which must be held before mid-2020. There are important things that must be accomplished before the referendum, one example being disposal of weapons, which all are agreed must occur if the referendum is to be truly free and fair. The timeline for the referendum also puts pressure on us to move as quickly as possible towards full implementation of the autonomy arrangements, and so contributes at times to stress in relationships between Bougainville and the National Government when frustrations arise about the slower than anticipated progress towards autonomy. The referendum timeline also requires Members of the House to be as fully aware as possible about the referendum arrangements, so that they can each take the lead in ensuring their own constituencies are referendum ready.

As Speaker, I see the time line adding pressure to the roles of Members, and contributing to sometimes heated debates, where I have to keep order, while also ensuring that all Members are given adequate opportunities to raise the concerns of their constituencies.

The political and procedural challenges of a post-conflict Parliament are diverse and complex. They call for a Presiding Officer who is not only neutral, but also able to be balanced and impartial. He or she needs knowledge and experience of the Bougainville conflict and the Bougainville Peace Process, as well as knowledge and experience of Parliaments.

This article is based on a paper delivered by the author to the 49th Presiding Officers and Clerks' Conference for the CPA Pacific and CPA Australia Regions, held in Wellington, New Zealand from 9-15 July 2018.



THE IMPORTANCE OF EFFECTIVE FINANCIAL OVERSIGHT IN COMMONWEALTH PARLIAMENTS

The Commonwealth Association of Public Accounts Committees (CAPAC) Pacific Workshop took place in Suva, Fiji in February 2019.



Hon. Shabana Mahmood, MP
is a Member of the UK
Parliament's Public
Accounts Committee
and the UK Member
of Parliament for
Birmingham Ladywood.

It feels very appropriate to be writing about 'A *Connected Commonwealth*' in the 70th year since the 'modern' Commonwealth was formed, and midway through the United Kingdom's tenure as Chair-in-Office of the Commonwealth. Next year, the UK will hand over this position to Rwanda.

The Commonwealth is connected first and foremost by its shared values and the 2.4 billion people who enjoy friendship, cooperation and family ties with others around the Commonwealth. The Commonwealth Parliamentary Association extends these interactions to Legislatures around the Commonwealth, providing a platform upon which Parliamentarians and Clerks can network and share skills and knowledge relating to their roles.

In February 2019, I participated in the Commonwealth Association of Public Accounts Committees (CAPAC) Pacific Workshop hosted by the Commonwealth Parliamentary Association UK (CPA UK Branch) in Suva, Fiji, in partnership with the Parliament of Fiji. Public Accounts Committees have very specific remits and unique characteristics, and this was an opportunity for me and my Public Accounts Committee counterparts in the CPA Pacific Region to pool our practical experience and learn from one another.

There are over 20 Commonwealth Public Accounts Committees in the Pacific Region and they vary significantly in terms

of the size of their membership, the size of the government budget they scrutinise and the focus of their inquiries. For example, the Public Accounts Committee of Tuvalu consists of three Members and scrutinises a government budget of \$32.5 million, while the Public Accounts Committee of New Zealand consists of thirteen Members and scrutinises a government budget of \$80 billion.

However, despite these differences, the operational functions of the Public Accounts Committees across the Pacific Region have much in common; they must build constructive relationships with their respective Supreme Audit Institutions and government, they must work collaboratively across political differences, and they must successfully engage key stakeholders in their work.

During the three-day workshop, I gained a deeper understanding of the CPA Pacific Region and of the context in which Pacific Public Accounts Committees operate. I was also able to share, compare and reflect on my own experiences of working within the UK context with my fellow workshop participants.

Importantly, we discussed 'blockers' that inhibit our work, for example the lack of resources and training for Committee Members and staff, the difficulty of reaching a consensus among Members, and time constraints on Committee work. Importantly, we discussed how to ensure that governments deliver on their responses to Committee recommendations, and we were able to share solutions to facilitate better scrutiny of government and the use of mechanisms such as the media to do this.

I was delighted to chair an interactive Committee exercise designed to give workshop participants constructive feedback on their questioning techniques of witnesses. The witnesses invited to participate were members of the COP23 Presidency Trust Fund which is currently chaired by Fiji. COP23 stands for the 23rd annual Conference of the Parties to the 1992 United Nations Framework Convention on Climate Change, and this exercise focussed on the auditing of the Trust Fund account and expenditure. During





this exercise, it was interesting to note and learn from the different questioning techniques of Members and the role of the Chair in allocating questions that play to the strengths of Members.

Feedback from participants indicated that the workshop presented a very useful opportunity to learn from our differences and build invaluable networks across the region. The Commonwealth theme for 2019 is 'A Connected Commonwealth', and I am glad to have worked towards this theme and to have experienced it first hand with my counterparts across the Pacific.

This workshop was one in a series of regional Public Accounts Committee workshops delivered by CPA UK.

There will be two further workshops in the CPA Asia Region and the CPA Caribbean, Americas and Atlantic Region, which form part of a wider project delivered by CPA UK as part of the Commonwealth Partnership for Democracy (CP4D).

CP4D is a UK Government fund administered by the Westminster Foundation for Democracy in partnership with the Commonwealth Parliamentary Association CPA Headquarters and CPA UK Branch, and the Commonwealth Local Government Forum, and the project aims to build political commitment to democratic values. For further information about the next Public Accounts Committee regional workshops please email burtab@parliament.uk.



Images: CPA UK Branch and Parliament of Fiji.

Focus on financial scrutiny and parliamentary oversight in Commonwealth Parliaments at first CAPAC Pacific Region workshop in Fiji

Commonwealth Parliamentarians from the CPA Pacific Region have gathered for the first regional workshop of the Commonwealth Association of Public Accounts Committees (CAPAC) in Suva, Fiji from 19 to 21 February 2019. The three-day workshop was opened by the newly elected Speaker of the Parliament of the Republic of Fiji, Hon. Ratu Epeli Nailatikau and the workshop was attended by MPs and Clerks from Australia, Kiribati, New Zealand, Niue, Samoa, Solomon Islands, Tuvalu, the United Kingdom, Vanuatu and Fiji.

The regional workshop focused on the work of Commonwealth Public Accounts Committees in promoting good governance and reaffirming that strong and independent Parliamentary oversight plays an important role in preserving the trust of citizens in the integrity of government. This is achieved through Public Accounts Committees that are effective, independent and transparent.

Shabana Mahmood, MP, a Member of the UK Parliament's Public Accounts Committee, gave the keynote address to delegates at the CAPAC Pacific workshop highlighting methods of collaborative working and the importance of effective training for PAC Members.

The CAPAC regional workshops are funded by the Commonwealth Partnership for Democracy (CP4D) and delivered by the CPA UK Branch. Following the Pacific Regional workshop will be workshops in the Asia Region and the Caribbean, Americas and Atlantic Region. A final pan-Commonwealth workshop will take place in London in early 2020 and will be an opportunity for CPA Regions and individual Public Accounts Committees to report on progress made in line with aims and objectives of the preceding regional workshops.

The Commonwealth Association of Public Accounts Committees (CAPAC) was constituted in June 2014 by the

Chairs and Members of Public Accounts and equivalent financial Committees of Commonwealth Parliaments and is designed to support the work of Commonwealth Public Accounts Committees in promoting good governance and financial scrutiny.





REFLECTING ON DEMOCRACY AND POLITICAL PARTICIPATION AS THE SCOTTISH PARLIAMENT CELEBRATES ITS 20TH ANNIVERSARY



Rt Hon. Ken Macintosh, MSP is the Presiding Officer of the Scottish Parliament. First elected in 1999 to represent the constituency of Eastwood, south of Glasgow, he has held various positions as Ministerial Aide to the First Minister and Shadow Minister for Schools and Skills; Culture and External Affairs; Education; Finance; Social Justice; and Community. In 2016, he was returned as an MSP for West Scotland before being elected as the Scottish Parliament's fifth Presiding Officer. Prior to election, he was a television producer for BBC News.

This year, the Scottish Parliament marks its 20th anniversary and, while we take time to reflect on how far we have come in such a short period, we must also ensure this institution is fit to face the challenges and the changing needs of our people.

We are a young Parliament, but one that sits in a country with a long parliamentary tradition stretching back more than 700 years. Before the *Act of Union of 1707*, Scotland had its own Parliament with the first historical reference dating back to 1235.

Fast forward to 1997 and the newly elected UK Government embarked on a programme of constitutional reform establishing devolved assemblies in Wales and Northern Ireland and a new Parliament here in Scotland. The

strong desire from the start was to create a different model of parliamentary democracy and a consensual approach was taken in developing modern procedures for this new Scottish institution. A Consultative Steering Group (CSG) involving civic as well as political representatives, provided the blueprint for how the Parliament would operate and drew on international examples. Best practice from a range of other Parliaments including Canada, Québec, and New Zealand and several European Legislatures were adopted and adapted to suit our needs. Membership of the Commonwealth Parliamentary Association gave us an international platform to continue to learn from other Parliaments

and share our experiences.

For me, and many others, the new Parliament brought optimism, a sense of purpose and enthusiasm for a new way of doing things.

The CSG identified four key principles on which the Parliament is founded. The Parliament was to be accessible, open and participative; promote equal opportunities for all; embody and reflect the sharing of power between the people of Scotland, legislators, and the Scottish Government; and the Scottish Government was to be accountable to the Parliament while both institutions will be accountable to the people. These founding principles remain today as important as ever.

The first two decades have





perhaps been a game of two halves. The first half saw a new and as yet untested political forum, developing against a backdrop of relative economic stability, rudely brought to a halt by the crash of 2008. The second half has seen a more confident and politically assertive institution, but one which has had to operate in periods of uncertainty around Scottish independence and Brexit.

While we're still relatively young, it's striking how quickly the Parliament established its legitimacy as a national Parliament and trusted institution. Successive Scottish Social Attitudes Surveys have shown an upward trend in the proportion of people who believe that our Parliament is giving Scotland a stronger voice in the UK, rising from 35% in 2004 to more than 70% in 2016.

This modern, new Parliament, underpinned by our founding principles, has achieved real successes, including becoming the first Parliament in the world to accept e-petitions and the first to have an education centre. We value our engagement with the people of Scotland above all and our unique annual Festival of Politics brings the public in their thousands right into the heart of their Parliament.

There have also been many notable pieces of legislation. On land reform and the abolition of feudal tenure, the introduction of free personal care for the elderly, and a much needed and long-awaited reform to mental health services. At the time, seen as risky but now seen as a very important public health measure and a sign of the Parliament's growing self-confidence, was the ban on smoking in public places, the first Parliament in the UK to do this. More recently, our focus on tackling climate change has brought international attention.

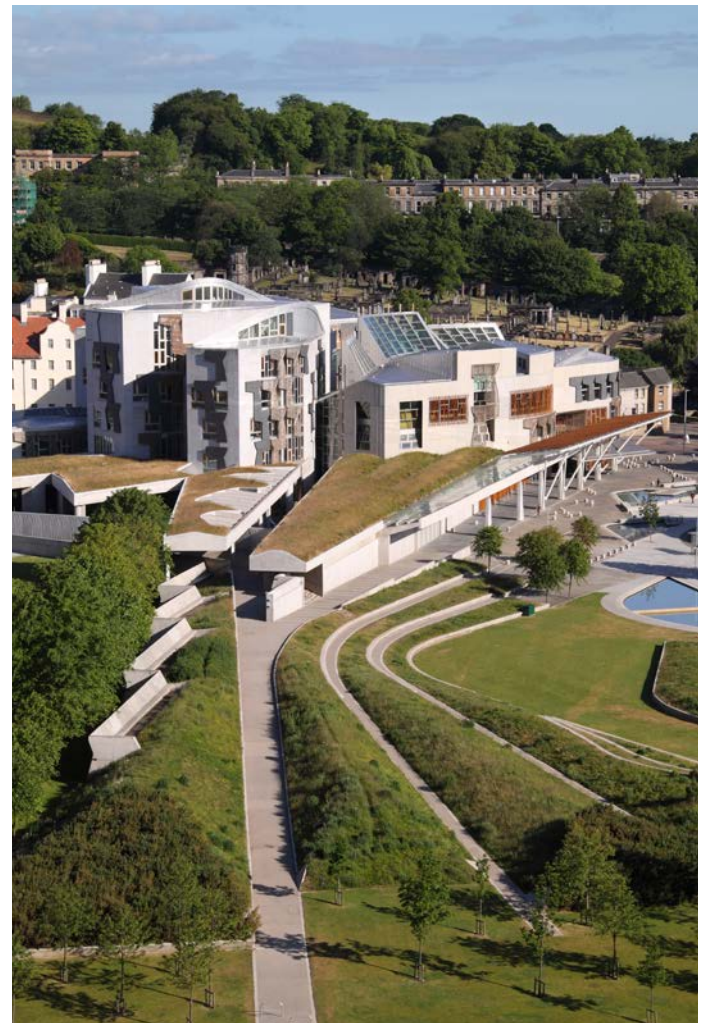
Politically too there have been changes. The Session 2 '*rainbow Parliament*' ushered in

smaller parties with the greens, socialists, independents, and a '*senior citizens*' party, adding fresh views to the political debate. In our short time we've also seen minority, majority and coalition governments.

Having become successfully embedded as the central institution of political and public life in Scotland during our first ten years, the second decade brought more challenges but also opportunities. The growing confidence of the Parliament led to a situation entirely unforeseen by the architects of devolution when in 2011 we saw a majority government elected. That election was followed by a further tranche of powers being devolved to the Parliament in 2012 and 2016, including more powers over taxation and areas of welfare. The 2016 powers were on the back of the Scottish independence referendum in September 2014.

When I was elected Presiding Officer in 2016, my expectation was that these new powers would dominate the coming Session and I was confident Parliament was well prepared for the challenge. However, six weeks after that election, the Brexit referendum result was a development which has brought unprecedented challenge and utterly dominated the Parliament's business and the political landscape and, I expect, will continue to do so. It hasn't just dominated debating time in the Chamber, our Committees are at the forefront of examining legislation and are meeting for longer and more often than ever before. But what is much more encouraging, is that despite the sometimes heated and robust political exchanges across the Chamber, MSPs from all parties are working together constructively to examine how laws in Scotland will continue to function in a post-Brexit world.

Of course, at the time of writing, the future of the UK's relationship with the European



Union is still unresolved. But Brexit is not the only challenge facing us. The political landscape in Scotland and across many established democracies is changing, radically. The decline in traditional news and rise of social media has brought with it new and often malign attempts to manipulate votes and behaviours.

The Scottish Parliament has a well-earned reputation as a trusted source of information which I hope will continue to grow further. As a young and constantly evolving Parliament we have been an exemplar of good practice to emerging democracies and welcome more than 100 parliamentary visits from across the world each year.

As Presiding Officer, I am conscious that the Parliament must continually reform and refresh itself if it is to continue to

respond to the changing needs of our country. People want to participate more in decision making and we need to rise to these expectations. So, in October 2016, I set up an independent Commission on Parliamentary Reform so as to take a fresh look at how well we do our business.

The reforms have already brought more flexibility and responsiveness to discuss the big issues of the day, through urgent questions which can be asked on any sitting day, an extra portfolio question time, and more opportunities to ask spontaneous questions at First Minister's Questions.

Our Parliamentary Bureau, which sets the business of the Parliament, is working together to take strategic decisions in the wider interests of the Parliament. The contribution of smaller parties



REFLECTING ON DEMOCRACY AND POLITICAL PARTICIPATION AS THE SCOTTISH PARLIAMENT CELEBRATES ITS 20TH ANNIVERSARY



Images: Andrew Cowan/Scottish Parliament

Above: The Royal Opening of the Fifth Session of the Scottish Parliament. Her Majesty Queen Elizabeth II, Head of the Commonwealth and Patron of the Commonwealth Parliamentary Association, accompanied by Rt Hon. Ken Macintosh, Presiding Officer, make their way to the Chamber for the Royal Opening of the Fifth Session of the Scottish Parliament on 2 July 2016.

to proceedings has been given greater recognition, there is more time for interventions and free-flowing debate, and each party has more discretion and flexibility in how they use their time in debates. Individual Members also have more opportunity to influence the business being proposed.

I hope the reforms will help position Committees once more at the forefront of the Parliament's work and their scrutiny and engagement roles have been enhanced. Our relationship with the wider society we serve is firmly at the heart of the reform agenda. With a new Committee Engagement Unit, we are getting out and about more to

local communities and using new technologies to reach out to more people wherever they live. We're establishing a closer relationship with the Scottish Youth Parliament and the Young Women Lead project and we're playing a proactive role in supporting parties to better reflect the diversity across Scotland. When we first sat in 1999, 37% of the new intake of MSPs were women. I thought we had made the breakthrough in terms of gender equality yet, 20 years on, the number of women MSPs remains almost the same. The lack of progress and diversity is there for all of us to see. I know this is an issue of interest to the Commonwealth Women

Parliamentarians and we hope we can continue to share our experiences and learn from other Parliaments through this forum.

Gender balance amongst our Committee conveners is improving, with 47% now women. With caring responsibilities of MSPs, staff and our visitors firmly in mind, we continue to try to avoid late sittings without adequate notice, and acting Committee conveners can now be appointed to cover for extended periods of parental leave to avoid new parents having to give up their position. MSPs can bring their babies into the Chamber, women have our support to breastfeed there if needed, and the Parliament's creche has flexibility to extend its opening hours to meet demand.

Now more than ever, it's important that we re-establish public confidence in Parliaments and democracy and encourage the public to engage with us in

helping shape the policies that will improve their lives. Like devolution, reform is an ongoing process. The Parliament itself must remain forward thinking and refresh its ways of doing things and our independent futures think-tank, 'Scotland's Futures Forum', will help us do just that.

I hope I have given you a vision of a maturing Scottish Parliament striving to create opportunities for everyone in Scotland to make meaningful contributions to society. If this article has given you a taster, please come and see for yourself.

Tapadh leibh (thank you!)

For more information about the international work of the Scottish Parliament follow @SP_IntRelations on Twitter.



THE FUNCTIONING OF DEMOCRATIC INSTITUTIONS IN INDIA



Ravindra Garimella is Joint Secretary of the Lok Sabha Secretariat at the Parliament of India and a regular contributor to *The Parliamentarian: Parliamentary Report*.

India at 70 is young, dynamic and a country propelled with a zeal to grow and prosper. The fountain head of the country's vibrancy is its democratic polity, the Parliament of India, legislative bodies and democratic institutions.

Before I embark upon this topic, I feel a brief introduction *vis-à-vis* context of this article would be in order. I have been at the University of Nottingham in England as a visiting fellow (9 to 23 September 2017) at the Faculty of Social Sciences and International Relations and Institute of Asia and Pacific Studies (IAPS). My visiting fellowship was a part of UK Economic and Social Research Council funded project relating to the Parliament of India and coordinated by Dr Carole Spary, Assistant Professor in the School of Politics and International Relations and Deputy Director of the Institute of Asia and Pacific Studies. This is how I came in touch with IAPS, and through Carole got to meet Dr Katharine Adeney, Director of IAPS, learn about aims and objectives of the Institute and its commendable initiatives, interactions on political, parliamentary and various topical governance related matters. During the fellowship, I had the occasion to participate in a symposium on 'India at 70' co-organised by the University of Nottingham and IAPS. My interventions on the functioning of democratic institutions evinced keen interest. As desired, subsequently I contributed a brief article for blog of IAPS on the subject. IAPS is now known as Asia Research Institute (ARI). In view of encouraging feedback,

I now seek to share my views through this article.

In this context, it would be worthwhile to add that I have been an Officer at the Table in various capacities in the Parliament of India for more than two decades now. Given my present work assignment, I am at the Table almost throughout the day when the Parliament session is on. This had and does provide me an opportunity to gain first hand insights on the working of the Lok Sabha.

Since India is a democratic polity, the reins of governance have changed from one party to another, over the past seven decades and that's an on-going process. I wish to emphasise at this juncture that the thrust of my article is upon the actual working of Parliament as a whole and independent entity way beyond the political party dynamics. This article is more about sharing my views ever since I started looking after or handling the Legislative charge.

These would be from a view point in a manner of saying like that of an 'eye witness' account and much more. In other words, from the parliamentary officer's and practitioner's perspective on the real time working of the Parliament. To put this discourse in the article in its perspective, I would like to very briefly dwell upon the functioning of democratic institutions post-independence until the 1990s. Thereafter, I would dwell upon my impressions on the functioning of Parliament, the challenges that have emerged, the manner in which the fraternity of Parliamentarians and Legislators handled the same, and the challenges that still persist.

When India became a free nation, the country faced multi-dimensional problems. Differences were there at many fronts – caste, creed, race, gender and the festering wounds of the partition. Through sagacious vision of the statesman and the then Home Minister, Sardar Vallabhbhai Patel, the unification of India was achieved with merger of princely states and provinces. Thus emerged a unified India. While the will and resolve of the united India were established, to forge ahead, the road in front was daunting. There were several doomsayers that India's freedom was short-lived and the country would soon be fragmented. The nation was, however, blessed with committed leaders both men and women, who (earlier relentlessly participated in India's freedom movement), now through the Constituent Assembly by dint of hard work and vision, gave India its Constitution – the Constitution of India. This became the bedrock of our democratic

“India at 70 is young, dynamic and a country propelled with a zeal to grow and prosper. The fountain head of the country's vibrancy is its democratic polity, the Parliament of India, legislative bodies and democratic institutions.”



THE FUNCTIONING OF DEMOCRATIC INSTITUTIONS IN INDIA

polity. Step by step, brick by brick, in a manner of saying, challenges were taken up and the long, perseverant exercises of addressing these commenced. There had been political upheavals but democratic institutions not only survived but progressed.

In a significant development, insofar as democratic institutions set-up in India is concerned, in 1992 through the *Constitution (73rd Amendment) Act, 1992* and the *Constitution (74th Amendment) Act, 1992*, Panchayati Raj Institutions and the Municipalities; the local governance bodies came into being. This added further fillip to vibrancy of the functioning of democratic institutions at grass root and local levels in the country.

Now, I come to the happening 1990s, the coalition era, also the era that ushered in the economic reforms in India which incidentally coincided with a time from whence my active association with '*The Table of the House*' commenced and continues until today. It was my singular good fortune to be able to witness the democratic churnings of the times, the pause and then the bouncing back of our democratic polity. Indian democracy at the centre had experimented with coalitions governments in 1977-79 and thereafter 1989-91. It was, however, by the mid-1990s that the scenario of fractured mandates emerged as a political reality. From 1996 to 1999, we had two short-lived Lok Sabhas, the Eleventh and Twelfth, Governments fell like 'nine pins' and in 1999, the Government of the day fell by mere one vote during voting on a Confidence Motion.

So, this was the democratic churning and kind of a stunning pause. Such a scenario does have a tendency to shake any democratic polity, but Indian democratic institutions have tremendous resilience and it bounced back. Thus, started the era of structured coalitions



– governments formed by pre-poll alliances among parties. From 1999 to 2004, the NDA Government; and then from 2004 to 2009, UPA-I and 2009 to 2014, UPA-II. Then finally in 2014, a single political party got a clear mandate. All through this time, the functioning of the democratic institutions did not stop; rather Parliament as a single unified entity played a pivotal role.

My good fortune was I could see the entire scenario all through these years evolving and unraveling in front of my eyes. Seeing is believing. This was an evolutionary experience for me too, which instilled in me a deep faith and respect for the democratic institutions and guiding the democratic spirit in the country.

I have used the term 'Parliament' as a single unified entity with a purpose. There lies the strength of democratic institutions in India and their successful functioning. I would wish to underscore this by way of a few illustrations.

As stated earlier, in the early 1990s, the economic reforms were introduced by the then Government. Ushering in

economic reforms and its roll out in the country is however, a contributory effort by all Parliamentarians. The then Prime Minister of India, the Finance Minister and the Leader of Opposition, Leaders and Members of all other parties through their sustained and structured debates, made this possible. The second generation reforms were delayed by a few years post-1996, owing to political instability due to the falling of governments in quick succession in the 11th and 12th Lok Sabhas, a mention of which I have already made earlier. But what is significant is that the resilience of our democratic institutions prevailed. This ushered in a new phase; that of structured coalitions in 1999. When, after pre-poll alliances, the NDA Government came into being during the 13th Lok Sabha and had a successful run. In the 13th Lok Sabha too, the economic reforms were taken forward by this Government. Here too, there was a contribution by the Opposition who hitherto introduced the reforms in the first place, that is, when they were in power during the 10th Lok Sabha

(i.e. 1991-1996). This is a singular instance of Parliamentarians working in cohesion on matters which related to national interest.

I would now like to refer to another instance. There had been a terrorist attack on the Indian Parliament on 13 December 2001. There had been another very serious terrorist attack in Mumbai in November 2008. The composition of Parliamentarians was different and so were the Government on both the occasions. Nevertheless, what was common was that immediately after these two incidents, all Parliamentarians expressed their solidarity and resolve to combat the grave situation as a one united whole.

To state yet another instance, many a times a lot of heat is generated during parliamentary debates with different parties expressing their different points of view. But there are occasions when quoting of a couplet or a poem by a Minister or a Member while concluding their speeches immediately led the House to burst into laughter and cheers, with a resultant ease of atmosphere in the House. Also



there is another recent instance, during the Tenth Session (Winter Session of 2016), when most of the sittings were washed off owing to policy differences between Government and Opposition. Literally no effective business could be transacted, but on the last day of the Session (16 December 2016), when the *Rights of Persons with Disabilities Bill, 2016*, came up for consideration and passing, the Members from all parties, Treasury, Opposition and cross-benches, all put aside their differences to actively participate in the discussion on the Bill, to express their views and concerns and the Bill was unanimously passed by the Lok Sabha. With this touching gesture and convergence among Parliamentarians, all the previous days' acrimony was buried and the House adjourned *sine die* on a positive note.

This scenario is quite heart-warming and highlights the fact that there runs a common thread of fraternity among Parliamentarians cutting across their party lines. Furthermore, many a time it has also been seen that despite a stalemate over an issue lasting for days, the ice breaks after the Leaders and the Parliamentarians discuss their various compulsions and eventually agree to let the Parliament run. In such cases the Government agrees to give some space to the Opposition and the Opposition, in turn, allows the House to run and the legislative business to be cleared.

On a lighter side, at times there are heated debates between a Minister or a Minister from the Treasury benches and Leaders from the Opposition party. But soon thereafter, when they come out in the inner lobby after the debates or during recess, they join together amicably sharing pleasantries over a cup of coffee in the Central Hall of Parliament. The heat in the House was over a rift on inter-party views or

ideologies, which is debated in the House, but is nothing personal, once the Members come out of House. This speaks volumes of political maturity. Many a time, a good speech is always appreciated irrespective of party differences. That is what keeps the system going. Instances abound when the Speaker of Lok Sabha or the Chairman of Rajya Sabha have played a pivotal role in bringing about resolutions of such deadlocks. The Ministers of Parliamentary Affairs, the Leaders and party whips also play a crucial role in this regard.

The Indian Parliament is not only a forum for passing legislation - legislating is one of its core functions. One of those important functions of the Parliament has been that it provides a very effective debating forum. Given the diversity in the country, several political parties with different ideologies coming from different regions and speaking different languages, one of the challenges has been the clamour for time. This is despite there being in place a well laid down provision in the Rules of Procedure providing for various parliamentary devices for raising issues in the House. To cope the challenges, the Indian Parliament has come up with an ingenious way out, through a procedural arrangement which allows Members to raise matters of topical, national and international issues at the first available opportunity during the so called 'Zero Hour'. There are no provisions governing the 'Zero Hour' as such in the Rules of Procedure. For detailed discussions, the Members can always take recourse to other parliamentary devices provided for in the Rules having different timelines for tabling notices, raising issues in the House, etc. But allowing Members to raise topical issues through the 'Zero Hour' provides them with an opportunity to at least flag the issue and let steam off at the first available

opportunity. This procedural arrangement of 'Zero Hour' has also evolved over the time and with each passing Lok Sabha, it is being further streamlined.

These are but just a few instances which highlight the vibrancy of the democratic institutions in India; the innovativeness and its capability to cope with the many challenges. Furthermore, the country's democratic polity has also given political space and opportunity to outliers.

The Governments have changed in successive Lok Sabhas. The progress of the country however, did not stop owing mainly to the fact that our democratic institutions kept on innovating, adapting and coping with the challenges, but have always functioned. We did have challenges, controversies, allegations, etc. But the significant fact is whenever a crisis emerged, Parliament and the Legislatures came up with self-correcting steps. To put it in a nutshell, structured coalitions

came into being to correct political instability owing to fractured mandates. After the running of these coalitions for a decade and half and with the realization that these too had some flaws, the country again gave a clear mandate to one party in 2014.

As the years have passed, my respect, regard and faith in the Indian democratic institutions has kept on growing and is still growing. I wish to reiterate this to put the factual position as it is and the counter some unsubstantiated criticisms in certain quarters of media.

I would like to end this article by saying that the Indian democratic institutions have phenomenal resilience. The democratic spirit is deeply instilled in the psyche of the people of this country. At 70, the country as well as its Parliament is young and raring to go forward. This augurs well for the coming times. If somebody were to ask where would Indian democratic institutions be after 70 years from now? I would instinctively say '*at its zenith*'.





SEXISM, HARASSMENT AND VIOLENCE AGAINST WOMEN PARLIAMENTARIANS IN NEW ZEALAND



Louisa Wall, MP is a Co-Chairperson of the Commonwealth Women Parliamentarians New Zealand Group. She was first elected to the New Zealand Parliament in 2008 as the Member for Manurewa. She is Chairperson of the Health Select Committee and a Member of the Foreign Affairs, Defence and Trade Select Committee.



Jo Hayes, MP is a Co-Chairperson of the Commonwealth Women Parliamentarians New Zealand Group. She first entered the New Zealand Parliament in 2014 as a party list Member. She is a Member of the Select Committee on Maori Affairs.

A special report by the Commonwealth Women Parliamentarians New Zealand Group.

Introduction

In 2016, the Inter-Parliamentary Union Bureau of Women Parliamentarians conducted a study on sexism, harassment, and violence against women in Parliaments in Europe. The Bureau interviewed 55 women MPs from 39 countries, with the results revealing that sexism and gender-based violence is widespread. It occurs on a daily basis and is highly detrimental to the wellbeing and careers of female politicians.

In 2018, the New Zealand chapter of the Commonwealth Women Parliamentarians (CWP) undertook a scoping exercise to gauge the depth of the problem and gain statistics on the occurrence of these behaviours in the New Zealand Parliament. This exercise was based on the assertion that all New Zealand women deserve a workplace free of sexism, harassment, and violence. These findings will provide a baseline measure of the negative issues we need to address, as we seek to create not only a better Parliament, but a better society for everyone.

Definitions

The United Nations Declaration on the Elimination of Violence against Women defines such violence as *“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 or arbitrary deprivation of liberty, whether occurring in public or in private life.”*¹

Such violence affects one in every three women in the world.² It may be physical, sexual, psychological, or economic in nature, and no society, culture, or socioeconomic class is immune to it.

According to the conceptual work done by the international campaign *#NotTheCost, Stopping Violence against Women in Politics*, three characteristics distinguish violence against women in politics:

- It targets women because of their gender.
- In its very form it can be gendered, as exemplified by sexist threats and sexual violence.
- Its impact is to discourage women, in particular, from being or becoming active in politics.³

Such violence clearly constitutes a violation of human rights and fundamental freedoms, including the obligation to ensure that women can participate in political processes fully, freely, and in all security, as enshrined in several international instruments, such as the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Beijing Platform for Action, and the Sustainable Development Goals (SDGs).

In addition, while behaviour and acts affecting women in politics take the form of ordinary sexism, in many cases they are often part of a broader stereotype that women *‘are not made for’*

or *‘should not meddle in’* politics. Women engaged in or wishing to enter politics are consequently discouraged, and their access to leadership positions and their ability to fulfil their mandate as elected officials is considerably hindered.

Methodology

This report presents the results of a Commonwealth Women Parliamentarians (CWP) New Zealand survey on the experiences of women Parliamentarians and the New Zealand Parliament as an institution.

This report is based on quantitative and qualitative data provided voluntarily by 16 women Parliamentarians from Labour, National, the Green Party of Aotearoa New Zealand, and New Zealand First. The anonymous survey was circulated to the 24 Members of the CWP New Zealand group. Each of these women vary in their personal, professional, and political experiences.

Respondents were asked to describe their experiences of harassment, intimidation, or violence; the prevalence and culture of such acts or behaviour; and the consequences experienced as a direct result of said behaviour. Given the sensitive nature of the topic, all responses have been treated in strictest confidence and all survey data was collected anonymously.

The survey does not attempt to compare violence against women in politics with that against women in general, or to compare the experience



of women Parliamentarians with that of women in other professions or fields that until recently have been exclusively or predominantly held by men.

Overview of results

The survey is not based on a statistically representative sample, however the findings indicate that sexism, harassment, and violence against women Parliamentarians is widespread in New Zealand as is the case internationally. As shown in **Table 1**, the findings reveal a troubling prevalence, particularly with psychological violence (the most widespread form) affecting 44% of the respondents. Psychological violence was defined in the survey as any “remarks, gestures and images

of a sexist or humiliating sexual nature made against you, and threats and/or mobbing to which you might have been subjected.”

Recurring themes in respondents’ descriptions of these experiences were feelings of embarrassment, belittlement, and unworthiness. Psychological violence was inflicted by a mix of strangers and colleagues.

Fellow Members of Parliament are shown to be common perpetrators of sexist or humiliating remarks, with multiple respondents indicating that such comments are prevalent among party colleagues, across parties, as well as in core work environments such as Select Committees.

This type of psychological violence is commonly downplayed,

whether acknowledged to be not unique to the parliamentary environment, seen as expected in any job, or viewed as part of the ‘culture of Parliament’.

Among the kinds of psychological violence, 44% of those surveyed said they had received threats of death, rape, beatings, or abduction during their parliamentary term (**Table 2**).

Regarding harassment, multiple respondents described being touched inappropriately at public meetings on their back or bottom, and being the subject of inappropriate remarks in a public setting.

Threats of physical violence are more common online or in written correspondence from constituents and members of the public. This can result not

only in shaken confidence, but in missed opportunities. Conversely, some respondents suggested that receipt of such comments made them more determined in their work.

Among those who experienced abuse and considered reporting it, the vast majority chose not to do so. 86% of respondents had not reported abuse due to not knowing who to go to for support, not wanting to relive the event, or simply deciding to put up with it.

Other noteworthy data includes:

- Two respondents had reconsidered running for another term due to these experiences.
- Five respondents had experienced sexual harassment in previous careers, including two who had been assaulted and one who was propositioned for sexual favours.
- Common ways of dealing with the issues included seeking support from female colleagues or ignoring the problem.

While the prevalence of other forms of violence - such as sexual, physical, or economic - is lower, their occurrence at all is highly troubling, especially as these behaviours go unreported and are therefore unsanctioned.

Table 1: Prevalence of Violence

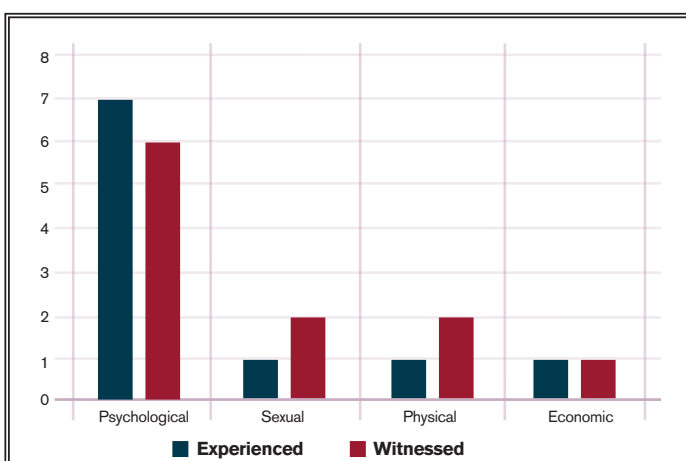
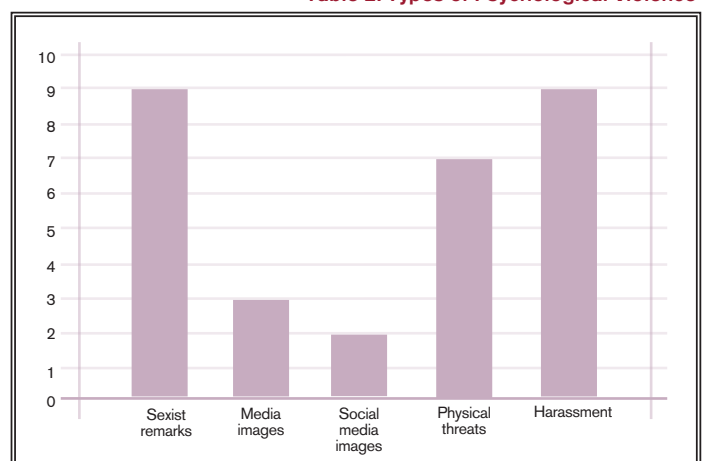


Table 2: Types of Psychological Violence





SEXISM, HARASSMENT AND VIOLENCE AGAINST WOMEN PARLIAMENTARIANS IN NEW ZEALAND

Conclusions

The survey has revealed the common occurrence of sexual harassment and gender-based violence against women Parliamentarians in New Zealand, reflecting the situation in Parliaments throughout the world. That these kinds of experiences should result in even a single woman Parliamentarian deciding to ignore the abuse or reconsider her involvement in public office is a worrying indictment on our social and political structures.

These findings suggest that such behaviour against women Parliamentarians affects a significant number of elected officials. Such violence impedes the ability of women Parliamentarians to do their work freely and securely, and has a dissuading effect on women's political engagement in general. Harassment of this kind may discourage future women leaders from entering politics or seeking promotion.

Below: The main chamber of the Parliament of New Zealand.

Such behaviour must no longer be viewed as 'just the price to be paid' for political involvement. It is the duty of political actors, men and women, and of Parliaments as institutions to set the right examples. Sexism, harassment, and violence against women Parliamentarians, and against women in Parliament, prevents Parliament from being inclusive and representative of the society it serves.

Sexist behaviour, psychological and sexual harassment, and gender-based violence is unequivocally unacceptable in New Zealand's Parliament. The following recommendations (as outlined in the Inter-Parliamentary Union report) will help enforce a zero-tolerance approach:

- The establishment of a confidential, fair, and responsive complaints and investigation mechanism.
- Disciplinary sanctions for perpetrators.
- Workplace training on respect at work and how to recognise and fight sexism

and harassment.

- The provision of independent, confidential, and expert counselling services for victims.

If sexual harassment and abuse is no longer tolerated and legitimised within Parliament, a clear message will be sent to society, helping to eliminate harassment and abuse in other spheres of public and private life. Parliament must be a model institution at all levels. The effectiveness of Parliaments, progress toward gender equality, and the vitality of democracy all depend on it.

The New Zealand Commonwealth Women Parliamentarians will continue to monitor developments in this area and will support all efforts to combat sexism, sexual harassment, and violence toward women Parliamentarians and indeed all women in Aotearoa.

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References:

- ¹ Declaration on the elimination of violence against women, UN General Assembly resolution 48/104, 1993.
- ² Global and regional estimates of violence against women, Geneva, WHO, 2013.
- ³ #NotTheCost: stopping violence against women in politics: a call to action, Washington, DC, National Democratic Institute (NDI), 2016. In 2016, NDI launched an international campaign called #NotTheCost, Stopping Violence Against Women in Politics, based on an alliance of partner organizations fighting against violence against women active in politics. IPU was part of this alliance.





Commonwealth Women Parliamentarians from Fiji and New Zealand share valuable lessons through parliamentary exchanges



Images: Parliament of New Zealand.

A delegation of eight women Members of the Parliament of the Republic of Fiji spent a useful week in New Zealand, learning and sharing knowledge with counterparts from the Parliament of New Zealand.

The delegation from Fiji, including three Ministers, an Assistant Minister, and four MPs, were in New Zealand as part of an ongoing Commonwealth Women Parliamentarians programme of parliamentary capacity and relationship-building between women Parliamentarians in the CPA Pacific Region. The delegation enjoyed a busy schedule, engaging in a series of workshops and building connections with New Zealand Parliamentarians.

Highlights of the week included meetings with the New Zealand Prime Minister, Rt Hon. Jacinda Ardern, MP; the Speaker of Parliament, Rt Hon. Trevor Mallard, MP and a wide range of Ministers, former and current MPs.

Workshops were shaped around important and current parliamentary issues which included engagement and communication, dealing with social media, effective chairing, managing office budgets, advocacy, and effectively representing constituencies. The workshops were delivered by cross-party Members, including Barbara Kuriger, MP, Louisa Wall, MP, Jo Hayes, MP, Anahila Kanongata'a-Suisiiki, MP, and Dr Parmjeet Parmar, MP.

While most of the programme was in Wellington at the Parliament of New Zealand, the Fijian delegates also had the

chance to go to Auckland and Christchurch for an electorate programme, visiting electorate offices and shadowing members and Ministers for a day.

Reflecting on the week, Rt Hon. Trevor Mallard, Speaker of the New Zealand House of Representatives, said: *"This was a really special opportunity and I am so pleased we could host almost all the women in Fiji's Parliament. There are now record numbers of women in both our Parliaments, with 20% in Fiji and 40.8% in New Zealand, and the week solidified relationships between them. I know that these connections will endure and be an important platform for sharing experiences and supporting one another. Representation of women in the Pacific region is low and therefore programmes such as this are an important way to build relationships, mentor, and share best practice between women MPs."*

The programme ran from 18 to 22 February 2019, with the delegation including Members from both Government and Opposition parties. It comprised Hon. Premila Kumar, MP; Hon. Mereseini Vuniwaqa, MP; Hon. Rosy Akbar, MP; Hon. Ro Teimumu Kepa, MP; Hon. Salote Radrodoro, MP; Hon. Selai Adimaitoga, MP; Hon. Lynda Tabuya, MP; and Hon. Adi Litia Qionibaravi, MP.

The programme was coordinated by Office of the Clerk of the House of Representatives with support from the New Zealand Ministry of Foreign Affairs and Trade, and the Commonwealth Women Parliamentarians.



International Women's Day 2019: Commonwealth Women Parliamentarians highlight gender equality and women's representation in Parliaments



Commonwealth Women Parliamentarians (CWP) marked International Women's Day 2019 by highlighting the importance of gender equality and the urgent need to increase women's representation in Parliaments.

International Women's Day (8th March) is a global day celebrating the social, economic, cultural and political achievements of women.

The day also marks a call to action for accelerating gender parity, with the theme of International Women's Day 2019 calling for a more gender-balanced world - 'Better the balance, better the world'.

To mark International Women's Day 2019, the CWP published a video to launch its new CWP Alumni Initiative for former women Parliamentarians to deliver mentoring, coaching and advice to benefit sitting women Parliamentarians and to act as a resource for the CWP. To view the CWP Alumni Initiative video please visit www.cpahq.org/cpahq/iwd.

The CWP Alumni Initiative Champion, Dr Lesley Clark, a former Member of the Legislative Assembly of Queensland in Australia, will act as an Ambassador for the CWP initiative and will share her experience and expertise across the CPA and CWP's membership. The video highlighted the importance of reaching the Commonwealth target of over 30% female representation in Commonwealth legislatures and the vital role networks such as the CWP play in achieving change.

The Commonwealth Women Parliamentarians (CWP) Chairperson, Hon. Dr Noraini Ahmad, MP (Malaysia) said: "I am delighted that the CWP Alumni Initiative has been launched and I hope that CWP Members will support the new initiative which will benefit women Parliamentarians. In 2019, the Commonwealth Women Parliamentarians (CWP) will mark its 30th anniversary and reflect on the many successes of the past three decades. The CWP envisions a world where women and men have equal access to opportunities – a world where women's voices are recognised and respected. I urge all Parliamentarians, with the support of the CWP network, to pursue this vision with continued dynamism and enthusiasm. Together we can and will build the future we want, working towards a future of equal rights, equal opportunities and progress for all."

Commonwealth Women Parliamentarians across the nine regions of the Commonwealth Parliamentary Association celebrated International Women's Day 2019 with a wide range of events and activities, for example by attending a high-level panel discussion hosted by the Commonwealth Secretariat at Marlborough House in London, UK at which the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC spoke about gender equality in the Commonwealth. The panel discussion on



Above: The CWP Alumni Initiative Champion, Dr Lesley Clark, a former Member of the Legislative Assembly of Queensland in Australia, released a video message to mark International Women's Day 2019 to speak about the new CWP initiative.

The video highlighted the importance of reaching the Commonwealth target of over 30% female representation in Commonwealth Legislatures and the vital role networks such as the CWP play in achieving change. To view the CWP Alumni Initiative video please visit www.cpahq.org/cpahq/iwd.

'Levelling the Law for Women's Equality in the Commonwealth' focused on proposals to eradicate discriminatory laws that hinder women's full participation in leadership at decision-making levels. The CWP was represented at the event by Joyce Watson, AM, a Member of the Welsh Assembly.

A special issue of *The Parliamentarian* (2019: Issue One), the CPA's flagship publication and Journal of Commonwealth Parliaments, was also published to celebrate the 30th anniversary of the Commonwealth Women Parliamentarians (CWP) featuring articles by current and former CWP Members reflecting on women's empowerment and gender equality in Commonwealth Legislatures.





Gibraltar Minister for Equality tells students to never limit themselves because of their gender on International Women's Day 2019 as she announces student art competition winners will become designs for national postage stamps



The Gibraltar Minister for Equality, Hon. Samantha Sacramento, MP told students to never limit themselves because of their gender on International Women's Day 2019.

The Minister, who has also represented Gibraltar at events for the Commonwealth Women Parliamentarians (CWP) British Islands and Mediterranean Region, was speaking at Westside School in Gibraltar to announce the winning entries for the Ministry for Equality's International Women's Day Art Competition for secondary education

institutions. The winning entries from Westside School, Bayside School and Gibraltar College will also feature on local stamps.

Hon. Samantha Sacramento, MP encouraged the students to take any opportunities and to thrive to be the 'best' that they can be. She said: "My message to boys is the same as my message to girls, because we are the Ministry for Equality and we want to make sure all of you have an equal playing field. I want students to be the next generation, to be the pioneers of change. Change cultural issues, change social norms, push those boundaries, don't get left behind and have no limits and certainly have no limits because of your gender."

The Minister for Equality spoke at the event alongside the Gibraltar Minister for Education, Dr John Cortes, MP, who spoke of the importance of equal education for all students.



Commonwealth Women Parliamentarians in South East Asia Region renew their commitment to women's rights at the Parliament of Malaysia

Commonwealth Women Parliamentarians from the South East Asia Region of the Commonwealth Parliamentary Association (CPA) have renewed their commitment to women's rights at a conference on Women's Political Leadership at the Parliament of Malaysia in Kuala Lumpur, held on 18 and 19 February 2019.

The **#WomenWhoLead** conference brought together over 100 political and civil society leaders and influencers from across the region and the wider Commonwealth to share inspiration and insights around the myths that prevent positive change for women's rights. Leading voices from Malaysia attended the conference to discuss the barriers to women's participation in politics.

The two-day conference was held under the Commonwealth Partnership for Democracy (CP4D), an initiative to advance inclusive and accountable democracy across 18 Commonwealth countries that brings together the Commonwealth Parliamentary Association (CPA), the Westminster Foundation for Democracy (WFD) and the Commonwealth Local Government Forum (CLGF).

Malaysia Women's Minister, Hon. Hannah Yeoh, MP said that government offices and the Parliament building itself would be supplied with childcare facilities as a direct action to assist women in leadership and she pledged to: "fight for supporting infrastructure to keep women in politics and in the workforce."

The Speaker of the Malaysian Parliament, Mohamad Ariff bin Md Yusof also attended the conference and pledged to: "give his full support to gender equalisation."

Speaking at the conference, the UK Prime Minister's Trade Envoy to Malaysia, Richard Graham, MP said: "This conference is

a great opportunity to continue progress made on gender equality and women's contribution in Malaysian democracy."

Rushanara Ali, MP (United Kingdom) also attended the conference and said: "There is so much to celebrate in women rising to leadership positions in Malaysia but there is so much more to do. The Malaysian government has clearly shown today their commitment to getting more women leaders to the top and I wish them every success in their endeavours."

The Commonwealth Partnership for Democracy (CP4D) project is committed to improving women's empowerment around the world and conferences are being held to enable emerging women leaders to further develop their skills in a supportive environment through networks like the Commonwealth Women Parliamentarians (CWP) and the Commonwealth Women in Local Government.



Women Parliamentarians' Caucus celebrate Sri Lankan Women Changemakers

A new exhibition celebrating Sri Lankan Women changemakers has been inaugurated by Hon. Karu Jayasuriya, Speaker of the Parliament of Sri Lanka with the participation of Members of the Women Parliamentarians' Caucus, the Sectoral Oversight Committee on Women and Gender Equality and USAID's Strengthening Democratic Governance and Accountability Project. Many Members of Parliament, local councillors and representatives from civil society organisations attended the event.

The campaign celebrates ground-breaking women in Sri Lanka in order to inspire both women and men to transform their societies. There are many examples of women in Sri Lanka who have made great achievements and phenomenal contributions to society.

For the initial campaign event held in Parliament, twelve successful women were selected who had made an impact in three key areas: the representation of key sectors of society in politics or the economy; gaining international or national recognition; or the representation of under-represented groups and vulnerable populations. Six of the women chosen as 'changemakers' are female firsts in a particular field and other six women have contributed enormously to a particular field.

The first twelve Sri Lankan women changemakers are:

- **Hon. Sirimavo Bandaranaike**, the first woman Prime Minister in the world when she became Prime Minister of Sri Lanka in 1960
- **Deshabandu Dr Mrs Wimala De Silva**, the first woman University Chancellor in Sri Lanka
- **Dr Premala Sivaprakasapillai Sivasegaram**, the first female Engineer in Sri Lanka
- **Sumitra Peiris**, the first female Filmmaker in Sri Lanka
- **Professor Savitri Goonesekere**, the first female Professor of Law and first woman Vice-Chancellor in Sri Lanka
- **Jayanthi Kuru-Utumpala**, the first Sri Lankan to summit Mount Everest
- **Dr Asha De Vos**, the Marine Biologist, Ocean Educator and pioneer of blue whale research in the northern Indian Ocean
- **Dr Hasini Jayatilaka**, the breakthrough Cancer Researcher
- **Nushell de Silva**, an Arts Educator and Social Entrepreneur
- **Princy Mangalika**, the activist in the cause of people living with HIV & AIDS and the founder of the Positive Women's Network
- **Kasturi Chellaraja Wilson**, the Managing Director of Hemas Pharmaceuticals, Logistics, and Maritime
- **Irfadha Muzammil**, an Interior Designer

Hon. Chandrani Bandara, the Minister of Women and Child Affairs and Dry Zone Development and the Chairperson of the



Women Parliamentarians' Caucus spoke at the event for Sri Lankan women changemakers emphasising that giving women a voice, celebrating their efforts and reminding all Sri Lankans of their contributions is just the beginning in ensuring a more sustainable and equitable future for us all.

Ms Jayanthi Kuru-Utumpala shared her phenomenal experience of being the first Sri Lankan to summit Mount Everest and stated that not all women in Sri Lanka have the space to achieve their potential as not everyone has an enabling environment to do so in the way that she was fortunate to have from her childhood. She emphasised that it is only through educational and legal reforms and the political will to do this, Sri Lanka can create this enabling environment.

The Speaker of the Sri Lanka Parliament, Hon. Karu Jayasuriya emphasised the genuine support of the Parliament to advancing the political representation of women and congratulated the efforts of the Women Parliamentarians' Caucus and the Sectoral Oversight Committee on Women and Gender Equality for this campaign that will inspire many citizens. *"..The time has come for politicians to increase the quality of our democracy in line with international best practices. For this purpose, we will require more women in politics. I am confident that the greater presence of Sri Lankan women in the main chamber in this building will enhance the quality of our debates and decision making, also the discipline and camaraderie in our meetings. It is my hope that recognition given to the women changemakers will engender greater interest among the public and enable the mobilization of women and indeed men towards encouraging greater participation of women in politics as well."*

The event saw a portrait of each of the Sri Lanka changemakers unveiled in the Parliament building in the presence of Cabinet Ministers, Members of Parliament, the Secretary-General of the Parliament, Mr Dhammika Dassanayake and the Chief of Staff and Deputy Secretary-General, Mr Neil Iddawala.

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PRESENTING PRIVATE MEMBERS' BILLS IN THE PARLIAMENT OF UGANDA

In Uganda, most proposed laws or Bills are presented or introduced to Parliament by the Executive arm of government, whose business is given priority by both the Speaker and the Rules of Procedure of Parliament.

At the presentation of the annual and constitutional State of the Nation Address usually held in early June, the President provides or outlines the number of Bills that will be presented to Parliament by the Government during that session. This is in addition to the other government programmes in the different sectors or the economy.

At the start of the current Parliament (which commenced in June 2016), the 10th since Uganda's independence in 1962, the President promised that the Government would present 29 Bills in 2016; 81 in 2017 and 41 last year. When only a few of these 151 Bills did not come to the House in three years, backbench Legislators took up the task by moving Private Members' Bills. These are Bills moved by backbench Members, not government or the Executive.

The Constitution provides that *'the power of Parliament to make laws shall be exercised through Bills passed by Parliament and assented to by the President'*. It also says that *'... no person or body other than Parliament shall have power to make provisions having the force of law in Uganda except under authority conferred by an Act of Parliament'*.

A Member of Parliament may seek to move a Private Members' Bill for various reasons: he or she may have specific interest in the field that the Bill/law covers, or the Legislator may feel that

the field lacks the required law, or it needs strengthening or improving as it could be outdated having been made either at or before independence. One may also move a Private Members' Bill trying to implement a government or court decision, as **Hon. Raphael Magyezi, MP** moved the Constitution (Amendment) Bill, 2017.

The Parliamentary Rules of Procedure require that a Member first seeks and gets leave/permission through a motion approved by the House before they can move a Private Members' Bill.

Rule 120 of the Parliament Rules of Procedure says that *'Every Member has a right to move a Private Members' Bill'*. These Rules also require that a Member moving a Private Members' Bill shall be afforded reasonable assistance by the department of government whose area of operation is affected by the Bill. In addition, the Department of Legislative and Legal Services, one of the departments in Parliament of Uganda, is required to afford the Member moving a Private Members' Bill professional assistance in drafting the Bill.

This will be in preparation for the Member to move the motion seeking leave of the House to move the Bill. A copy of the Bill, after compilation by the Clerk, will be attached to the motion. It is at this stage that a Member not willing to wait for government to act, but decides to go it alone (or with a Committee), finds hurdles.

The Rules of Procedure require that this Member must seek, by way of a motion, leave or permission of the House to move a Private Members' Bill. On presentation of this motion,

government's usual response is that it is in advanced stages of presenting the same Bill; or that a similar Bill intended to make the same provisions or to amend similar provisions of another law are underway. The Member will be advised to abandon his or her idea, liaise with government or wait for the government proposal.

When eventually leave sought is granted by the House, the Clerk to Parliament is required to help in printing of the Bill in preparation for its First Reading. Before the First Reading however, the mover is required to seek and obtain a Certificate of Financial Implications.

A Certificate of Financial Implications is issued by the Minister of Finance, and indicates the estimates of revenue and expenditure over the period of not less than two years after the coming into effect of the Bill when passed. The certificate also indicates the impact of the Bill on the economy. This certificate also presents another hurdle to the mover, as the Ministry may choose not to issue it.

Rule 117 (4) of the Parliament Rules of Procedure, however, provides a respite to Members failing to obtain this certificate. It says that a certificate shall be deemed to have been issued after 60 days from the date of its request.

Members intending to move Private Members' Bills also have to keep in mind article 93 of the Constitution, which sets restrictions on financial matters. The article says:

'Parliament shall not, unless the Bill or the motion is introduced on behalf of the Government:-

(a) proceed upon a Bill, including an amendment Bill,

that makes provision for any of the following:-

- (i) the imposition of taxation or the alteration of taxation otherwise than by reduction;*
- (ii) the imposition of a charge on the Consolidated Fund or other public fund of Uganda or the alteration of any such charge otherwise than by reduction;*
- (iii) the payment, issue or withdrawal from the Consolidated Fund or other public fund of Uganda of any monies not charged on that fund or any increase in the amount of that payment, issue or withdrawal; or*
- (iv) the composition or remission of any debt due to the Government of Uganda; or*
- (b) proceed upon a motion, including an amendment to a motion, the effect of which would be to make provision for any of the purposes specified in paragraph (a) of this article.'*

In the last few months, particularly after June 2016, there have been several attempts by Members to move Private Members' Bills; including Private Members' Bills presented for First Reading or have been considered and passed. Currently, about ten Private Members' Bills have been presented for First Reading, or considered through to the later stages in the House. This happens despite the hurdles thrown along the way. Private Members' Bills, for which the House has granted Members permission recently to proceed and prepare for the First Reading are reported in the Third Reading report.

THIRD READING: UGANDA

The Institute for Parliamentary Studies Bill, 2018

The Bill seeks to provide for the establishment of the Institute for Parliamentary Studies, and to provide for its objects, functions, composition, management and finances, and other related matters. It seeks to establish the Institute as a one stop specialised resource centre for the training and capacity development of both Members and staff of Parliament of Uganda, Local Councils and other Legislatures within the region. The Bill aims at creating an institutional mechanism for delivery of capacity building interventions for Members and staff of Parliament as well as stakeholders.

The Institute shall be an agency of Government and shall be under the general supervision of the Parliamentary Commission.

The Institute will be required to: conduct courses for the exposition and enhancement of the knowledge, skills and experience of Members and staff of Parliament, Local Councils and all other Legislatures; contribute to the effective and efficient execution by Legislatures of their roles and functions in democratic governance; and to participate in the preservation and transmission of parliamentary knowledge; and to provide directly, or in collaboration with other institutions of higher learning, facilities for parliamentary research, studies and training.

Further, the Institute will manage twinning arrangements between Parliament of Uganda and other Parliaments; offer in-bound courses for MPs and staff of other Parliaments in the region; collaborate with other National Assemblies and centres or institutes executing similar mandates.

The Parliamentary Commission, the body charged with the administration of Parliament of Uganda shall be responsible for the overall management of the institute and shall be responsible for its policy direction.

The National Health Insurance Bill, 2019

The Bill intends to, among others, facilitate the provision of accessible, affordable, acceptable and quality healthcare services to all citizens and residents irrespective of their age, or economic, health or social status; to develop health insurance as a complementary mechanism of health care financing in Uganda; to ensure that every citizen and resident has access to good quality, accessible, equitable and affordable health care.



It also seeks to ensure quality and equity of care, appropriate utilization of services, fund viability, patient satisfaction and overall accomplishment of health insurance; to ensure equitable distribution of costs among the different income groups; to improve and harness private sector participation in the provision of health care services; to provide finance to subsidize the cost of provision of health care services to the indigent; and to ensure the availability of funds to the health sector for improved services.

The Externalisation of Labour Bill, 2019

The Bill seeks to regulate the export of labour from Uganda; to provide the issuance of licensing to recruitment agencies; to impose obligations on the recruitment agencies and foreign principals; to provide for the repatriation of Ugandan migrant workers; to provide for rights of Ugandan migrant workers; to empower the Minister enter into bilateral labour agreements with qualifying countries.

The objectives of this will include:

- Promote full employment and equality of employment opportunities for all and to uphold the dignity and rights of Ugandan migrant workers;
- Allow employment of Ugandan citizens outside Uganda's territorial jurisdiction;
- Protect Ugandan citizens employed to work abroad by securing the best possible terms and conditions of employment;
- Provide a mechanism for issuing licenses to recruitment agencies

Other business involving Private Members' Bills included the following:

- In September 2018, the House considered but rejected a motion to grant leave to a Member to introduce a Private Members' Bill entitled 'The National Legal Aid Bill, 2018'. The Executive was tasked to introduce the Bill within one month;
- In December 2018, Parliament granted leave to a Member to introduce a Private Members' Bill entitled 'The Uganda Red Cross Society and Emblem Use and Protection Bill, 2018';
- In January 2019, the House granted leave to another Member to introduce a Private Members' Bill, entitled 'The Anti-Slavery Bill, 2018';
- On 9 January 2019, the 'National Graduate Scheme Bill, 2018' was read for the first time and referred to the Committee on Gender, Labour and Social Development;
- On 15 January 2019, Parliament passed the Human Rights (Enforcement) Bill, 2015;
- On 29 January 2019, the Administration of Parliament (Amendment) Bill, 2019, was read the first time and referred to the Committee on Legal and Parliamentary Affairs for consideration;
- On 12 February 2019, a backbench Member moved a motion seeking leave of Parliament to introduce a Private Members' Bill entitled 'The National Social Security Fund [Amendment] Bill, 2009'; leave was not granted as the Government said it had sent its own Bill for printing. Leave was granted a few weeks later, however, as the Government had not presented the promised Bill.

THIRD READING: TRINIDAD AND TOBAGO

Trinidad Parliament passes the Registration of Non-Profit Organisations Bill

After a bitter debate, the Attorney-General, **Hon. Faris Al-Rawi, MP** got 15 votes for the Non-Profit Organisations Bill, with the Opposition led by **Hon. Kamla Persad-Bissessar, MP** receiving 11 votes, which ensured that the Registration of Non-Profit Organisations Bill was passed after the Third Reading in the Parliament of Trinidad and Tobago.

The source of the Attorney-General's contributions came from the Financial Intelligence Unit (FIU) as he claimed that approximately TT\$90 million in suspicious transactions were made between 2012 and 2018 which were made to religious organisations in Trinidad and Tobago.

Hon. Faris Al-Rawi, MP gave a distribution of the monies received as follows: in 2012, there was suspicious activity of TT\$11.3 million; and in 2015, the sum of TT\$74.2 million was made to a religious organisation, again deemed to be suspicious. He continued that in 2016, TT\$88,000 was flagged; in 2017, the sum of TT\$1.3 million was flagged; while in 2018, TT\$72,000 was reported. In 2018, approximately TT\$2.7 million was deemed as suspicious.

Several reports had highlighted that funds had been used for terrorist financing and three for money laundering. However the Islamic community had stated that it believes organisations may be prejudiced when they send money abroad and that it believes that its community may be prejudiced when fulfilling their zakat.¹

The Attorney-General told Parliamentarians that this was the real situation. He stated that *"the Government felt it necessary to protect charitable purposes and to treat with the risks of terrorist financing and tackle the issue by coming up with a legislative structure for registration and regulation."*

"We have a serious issue in this country - tithes, zakat, alms, offerings... In all of these things people give money and they don't ask a question where it is going. So we want to give the people who manage and who give money, the protection of the law to know that it is bona fide and there is a mechanism, particularly where there is public money involved in the equation."

Hon. Faris Al-Rawi, MP pointed out that the Government of Trinidad and Tobago gave TT\$205 million to non-profit entities in one year, adding there were 8,983 NGOs registered, while 303 were established by Acts of Parliament.

Former Trinidad and Tobago Prime Minister, and now Leader of the Opposition, Hon. Kamla Persad-Bissessar, MP called the Registration of Non-Profit Organisations Bill a draconian piece of legislation, and called on the Government led by the Prime Minister, **Hon. Dr Keith Rowley, MP** to withdraw it forthwith.

Hon. Kamla Persad-Bissessar, MP said that the Bill may cross the constitutional hurdle as it does not strike a proper balance and as certain clauses seek to interfere with the rights to property for NGO bodies, and that this was a violation. She said: *"There are clauses in the Bill that are clearly disproportionate and the powers propose to give sanctions which are arbitrary and not properly justified in law or logic. There are people with many companies right here getting TT\$23 million contracts and more million-dollar contracts. That is where the money is. Follow the money. But you are coming after the small man, the little man, as your first hit."*

"The sporting groups, the village council, the pepper roti and, bake and shark producer. I am not saying you must come. That is your first hit, man, and you have not consulted them. It is clear that the FIU cannot be the regulator of non-profit organisations. It would be conflict of interest. You cannot have a regulatory body which is also an investigative body with powers under the other aspect of the criminal law", she added.

Hon. Kamla Persad-Bissessar, MP named Clauses 18 and 21 in her comments; the former deals with the surrendering of registration and the latter on the distribution of property; adding that the aim of the Bill was not to monitor and regulate NGOs. She said: *"It is punitive. Therefore, in its present form, we cannot support this legislation. Do your consultations. Go back and look at the United Kingdom model. Let good sense prevail."*

Dr Bhoendradatt Tewarie, MP, said that the way you treat this legislation is through an independent authority, and the way you deal with matters having to do with terrorism, which is what they are trying to do in relation to the European Union requirements, is that you find a way of dealing with that as a particular situation, not as a general paint brush.

Dr Roodal Moonilal, MP, in his contribution, said that while the bank accounts of Hamza bin Laden were frozen in the United States, he had no accounts in Trinidad and Tobago, and therefore his accounts could not be frozen. Dr Moonilal referred to reports in the

daily newspapers which indicated that the Government was following the United Nations objectives; however he was not sure which organisations they are taking action against and whether any of those organisations exists in the domestic jurisdiction. What the government was really doing, was that they are trying to kill one of two ducks but what they have done is to line up all the ducks and they are firing at all, hoping that one or two that they need, they would kill. *"At the end of the day, they will kill all the ducks. You are really targeting one or two institutions or individuals that you believe may have intelligence, and that they are involved in terrorism financing. That is wrong. The approach is wrong and deceptive,"* stated Dr Moonilal.

The Civil Asset Recovery and Management and Unexplained Wealth Bill, 2019

An Act to provide for the establishment of the Civil Asset Recovery and Management Agency for the recovery of criminal property through the use of the remedies of restriction in dealings with civil assets restriction and forfeiture of criminal property and the management of criminal property, and unexplained wealth orders and matters incidental thereto.

This Bill was passed in the House of Representatives on Monday 8 April 2019, when the Government led by the Prime Minister, **Hon. Dr Keith Rowley, MP** and former Prime Minister and now Leader of the Opposition, **Hon. Kamla Persad-Bissessar, MP** agreed to several amendments, and it was eventually passed with 34 Members of Parliament present.

There are 41 Members in the Trinidad and Tobago House of Representatives (plus the Speaker), with the ruling People's National Movement having 23 Members, and the Opposition United National Congress with 18 Members. The Government had struck out the three-fifth majority needed by the Constitution of the Republic of Trinidad and Tobago, and allowed this Bill to be passed by a simple majority.

Earlier, Hon. Kamla Persad-Bissessar, MP had denounced the legislation as *'draconian and unconstitutional'* because it infringes on the concept of private property. The Opposition had squared off with the Government and demanded several amendments.

The Bill, the first of its kind to be debated and passed in the House of Representatives, is intended to recover wealth accrued by criminal

activity, and to recover property which includes criminal property, terrorist property of an instrumentality of crime (including the portion of such property that may be mixed with another property).

How the Bill will deal with such issues:

- Unexplained wealth orders will be made where there is reasonable suspicion that the total wealth of an individual exceeds the value of their lawfully obtained wealth.
- A police officer, customs officer or the Chairman of the Board of Inland Revenue will be empowered to forward an investigative report to the Director of Public Prosecutions (DPP) where they have reasonable grounds to suspect the investigation involves recoverable property.
- A civil asset recovery and management agency will be responsible for the recovery, management and disposal of criminal property.
- A property manager will be responsible for taking possession of preserving, managing, disposing of, or otherwise dealing with any property which is subject to any proceedings under the Act.

The Attorney-General, **Hon. Faris Al-Rawi, MP** assured the House of Representatives that it would not affect citizens unless they are being investigated under the Proceeds of Crime Act (POCA) which deals with such matters like racketeering, bribery, terrorism and corruption to human and drug trafficking, kidnapping, counterfeiting, trafficking in stolen goods, tax evasion, extortion, insider trading and market manipulation.

Before the vote was taken and a compromise was proposed, Hon. Kamla Persad-Bissessar, MP warned that there were dangers in the Bill, adding that she was fully prepared to go to the courts to ensure it does not impact on basic human rights as enshrined in the Constitution, adding that there are '*dangerous people*' in the country and she called for the declaration of one's asset before the court.

In her contribution in the Committee stage, Hon. Kamla Persad-Bissessar, MP referred to Clause 58 in the Bill which empowers the Chairman of the Board of Inland Revenue, a Customs and Excise Officer or a Police Officer attached to the Financial Investigation Unit (FIU) of the Police Service to apply to the High Court for a *Preliminary Unexplained Wealth Order*, where there is reasonable suspicion that the total wealth of the respondent exceeds the value of their lawfully obtained wealth and that

the property is owned by the respondent or is under effective control.

She added: *"I think what you all want, maybe you feel you will get one of us in something, somebody will get somewhere, and that's what the law is. You do your job, we will do ours. You may want to publicise it because you feel it may bring political benefit and so on, but whilst it remains as a preliminary something, I think it is putting undue danger on the lives of people and their families, and therefore, we should give people that protection until they are actually found to have unwanted wealth."*

However, Hon. Kamla Persad-Bissessar, MP said that Trinidad and Tobago was better off with the legislation.

Hon. Faris Al-Rawi, MP told the Parliament that the Bill allows for the appointment of three trustees, namely a Civil Asset Trustee and two Deputy Trustees who would remain independent of "*any Ministerial reach*." The Civil Asset Trustee and one Deputy Trustee is appointed by the President of the Republic of Trinidad and Tobago on the advice of the Judicial and Legal Services Commission. The

third Trustee is appointed on the advice of the Prime Minister and Leader of the Opposition, and if there was no concurrence on that appointment, the President uses their discretion.

Hon. Faris Al-Rawi, MP pointed out that if there were any matters that the aggrieved person or persons feel that they are not fairly treated by the local courts, they had the right to appeal to the Judicial Committee of the London-based Privy Council.

The National Security and Communications Minister, Hon. Stuart Young, MP noted that the Government was satisfied that citizens can be comforted that this Bill is an important piece of legislation in the Government's fight against crime. He said: *"We believe it is pivotal in pursuing those who profit from the proceeds of crime and bringing them to justice."*

The Bill was passed but no date has been set for assent by the President.

¹ Zakat is a payment made annually under Islamic law on certain kinds of property and used for charitable and religious purposes, one of the Five Pillars of Islam.



CANADA FEDERAL: SPRING LEGISLATIVE NEWS

2019 Federal Budget

On 19 March 2019, the Minister of Finance, **Hon. Bill Morneau, MP**, introduced the 2019 federal budget. Budget 2019 seeks to invest in the middle class, by focusing on affordable housing, tax credits for first-time home buyers, skills development for a changing job market; lower prescription drug costs, local infrastructure development, and universal access to high-speed internet, particularly within Canada's most remote regions.

Legislation

During the winter session, two Bills received Royal Assent:

- *C-57, An Act to amend the Federal Sustainable Development Act*, which makes decision-making related to sustainable development more transparent and subject to accountability to Parliament.

- *C-64, the Wrecked, Abandoned or Hazardous Vessels Act*, which seeks to ensure that commercial vessels and pleasure craft that become wrecks – or are otherwise abandoned, dilapidated or hazardous – are removed or remediated at their owners' expense. The Bill further seeks to ensure that owners have the financial resources to meet these obligations.

Further, several Government Bills were introduced, including:

- *Bill C-91, An Act respecting Indigenous languages*, which aims to reclaim, revitalize, strengthen and maintain indigenous languages in Canada. The Bill would establish the discretionary authority of federal institutions to provide interpretation services and translation into Indigenous languages. The Bill would also
- establish an Office of the Commissioner of Indigenous Languages with a mandate to help promote indigenous languages.
- *Bill C-92, An Act respecting First Nations, Inuit and Métis children, youth and families*, which would affirm the rights and jurisdiction of indigenous peoples in relation to child and family services and set out principles applicable, on a national level, to the provision of child and family services in relation to indigenous children.
- *Bill C-93, An Act to provide no-cost, expedited record suspensions for simple possession of cannabis*, which would permit persons who have been convicted of simple possession of cannabis offences committed before 17 October 2018 to apply

for an expedited record suspension without being subject to the fee that is otherwise payable in applying for a suspension.

Committee reports

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

- **Democracy under Threat: Risks and Solutions in the Era of Disinformation and Data Monopoly** (Standing Committee on Access to Information, Privacy and Ethics)
- **Nation-Building at Home, Vigilance Beyond: Preparing for the Coming Decades in the Arctic** (Standing Committee on Foreign Affairs and International Development)
- **Elect Her: A Roadmap for Improving the Representation of Women in Canadian Politics** (Standing Committee on the Status of Women)
- **The Challenges of Delivering Continuing Care in First Nations Communities** (Standing Committee on Indigenous and Northern Affairs)
- **Clean Growth and Climate Change in Canada: Forestry, Agriculture and Waste** (Standing Committee on Environment and Sustainable Development)
- **Protection and Recovery of Endangered Whales: The Way Forward** (Standing Committee on Fisheries and Oceans)

Changes in the Senate

Although the Senate saw no appointments or retirements in the winter session, the Upper Chamber underwent two major changes.



In February 2019, the temporary Senate chamber opened its doors. The Senate's permanent home, Parliament's Centre Block, is undergoing its first extensive renovation since it opened in 1920. For the next decade, the Senate will sit in the nearby Government Conference Centre. This historic building originally served as Ottawa's central train station.

On 18 March 2019, Senate chamber proceedings were video broadcasted for the first time. The Senate has long live streamed its proceedings in audio format and livestreamed Committee meetings. Video broadcasting of Chamber proceedings reflects the Senate's commitment to greater transparency and accountability.



Changes in the House of Commons

In February 2019, a national newspaper reported that officials in the Prime Minister's Office and other officials had pressured Hon. Jody Wilson-Raybould, MP, who was previously Minister of Justice and Attorney General of Canada, to ask federal prosecutors to make a deal in the corruption and fraud case against SNC Lavalin - an engineering and construction firm based in Montreal.

In the aftermath of these allegations being made public, Ms. Wilson-Raybould resigned from Cabinet. Subsequent events led to the resignation of the Prime Minister's Chief Political Advisor, the early retirement of the Clerk of the Privy Council, and the resignation from Cabinet of Hon. Jane Philpott, MP. The House of Commons Standing Committee on Justice and Human Rights held several emergency Committee meetings to investigate the matter.

As a result of these events, a number of changes to the

Ministry were announced during February and March 2019:

- On 12 February, **Hon. Jody Wilson-Raybould, MP**, resigned from her role as Minister of Veterans Affairs and Associate Minister of National Defence.
- On 1 March, **Hon. Lawrence MacAulay, MP**, formerly Minister of Agriculture and Agri-Food, was named Minister of Veterans Affairs and Associate Minister of National Defence.
- On 1 March, **Hon. Marie-Claude Bibeau, MP**, formerly Minister of International Development, was named Minister of Agriculture and Agri-Food.
- On 1 March, **Hon. Maryam Monsef, MP**, Minister for Women and Gender Equality was also named Minister of International Development.
- On 4 March, **Hon. Jane Philpott, MP**, resigned from her role as President of the Treasury Board and Minister of Digital Government
- On 18 March, **Hon. Joyce Murray, MP**, formerly Parliamentary Secretary to the President of the Treasury Board and Minister of Digital Government, was named President of the Treasury Board and Minister of Digital Government.

On 26 April, a further change was made to the Ministry as **Hon. Dominic LeBlanc, MP** announced that he is taking a leave of absence from his role as Minister of Intergovernmental and Northern Affairs and Internal Trade for health reasons. Minister of Finance, **Hon. Bill Morneau, MP** will temporarily assume responsibilities related to intergovernmental affairs and internal trade, and Minister of Crown-Indigenous Relations; **Hon. Carolyn Bennett, MP** will temporarily assume responsibilities related to northern affairs.

On 25 February, three federal by-elections were held. Conservative **Scot Davidson, MP**, won the Ontario riding of York-Simcoe; Liberal **Rachel Bendayan, MP**, won the Quebec

riding of Outremont; and Leader of the New Democratic Party, **Jagmeet Singh, MP**, won the British Columbia riding of Burnaby South. Mr Singh was elected leader of the NDP in October 2017.

On 20 March, **Celina Caesar-Chavannes, MP**, left the Liberal caucus to sit as an independent Member of Parliament.

On 2 April, **Hon. Jody Wilson-Raybould, MP** and **Hon. Jane Philpott, MP** were expelled from the Liberal caucus.

Decision by the Federal Court

On 20 February 2019, the Federal Court of Appeal ruled that the decisions of the management body of the House of Commons, the Board of Internal Economy (BOIE), are shielded by parliamentary privilege and are thus protected from legal challenge. This ruling centers on a 2015 decision by the BOIE, in which 68 New Democratic Party MPs were ordered to repay \$2.75 million in misused funds.

AUSTRALIAN FEDERAL ELECTION SET FOR MAY 2019

On 11 April 2019, the Prime Minister of Australia, **Hon. Scott Morrison, MP**, announced that the Federal Election would be held on 18 May 2019. Mr Morrison claimed that his Liberal/National Government should be re-elected because it is better at managing the economy than Labor. He noted that unemployment and inflation were low and the Federal Budget would be in surplus in 2019-20, the first surplus in 12 years.

Mr Morrison commented that *“it is a choice that will determine the economy that Australians live in, not just for the next three years but for the next decade. It’s a choice between a government that I lead and the alternative of a Labor government led by Bill Shorten. You will have the choice between a Government that is delivering a strong economy and will continue to do so, or Bill Shorten’s Labor Party, whose policies would weaken our economy. You will get to decide between a Government that has fixed the Budget or Bill Shorten’s Labor Party that we always know can’t manage money. You*

will have a choice between a Government that is lowering taxes for all Australians, or Bill Shorten’s Labor Party that will impose higher taxes that will weigh down our economy. It’s taken us more than five years to turn around Labor’s Budget mess. Now is not the time to turn back.”

Mr Morrison concluded that *“Australia is the best country in the world but our future depends on a strong economy. So I’m asking my fellow Australians today that on the 18th of May, you vote Liberal and National around the country. So together all of us as Australians can continue to build our economy to secure your future.”*

The Leader of the Opposition, **Hon. Bill Shorten, MP**, commented that *“the election has been called and today, the case to vote Labor is that we will deliver more jobs, better health and education. Take real action on climate change and renewable energy and help push energy prices down. We’ll get on top of cost of living burdens and we’ll get wages moving again in this country. And, we can manage*

the economy in the interests of working and middle-class people because my team is united. Australians face a real and vital choice at this election. Do you want Labor’s energy versus the Government’s tiredness? Labor’s focus on the future versus being stuck in the past? Labor’s positive plan for all Australians or a negative fear campaign from the other side? Do you want a united government under Labor or another three years of division following the last six years of division under the current Government?”

Shortly after Mr Morrison’s announcement of the date for the election, the Governor General of Australia’s Official Secretary read a proclamation at the front of Parliament House, proroguing the Parliament and dissolving the House of Representatives. The proclamation brought to an end the 45th Parliament which was mired in controversy, chaos and continuing leadership instability.

The dual citizenship fiasco placed a heavy toll on the Australian Parliament forcing large numbers of Senators and Members to resign because they had dual citizenship, which is in contravention of section 44 of the Australian Constitution. It is the responsibility of candidates to ensure that they are compliant with constitutional requirements. On 14 July 2017, Australian Greens Senator Scott Ludlam announced his resignation because he had dual citizenship. This event then led to a cascade of resignations by Senators and Members because of their dual citizenship. Seven Senators including the Senate President, then **Senator Hon. Stephen Parry**, resigned. Seven Members of the House

of Representatives were also found to be non-compliant and resigned. This included the then Deputy Prime Minister, **Hon. Barnaby Joyce**.

On 28 July 2018, four by-elections were held as a result of sitting Members resigning because they had dual citizenship. Those Members, all Labor, then recontested at the by-elections and were returned. This result mortally wounded the then Prime Minister, **Hon. Malcom Turnbull, MP**. At the same time, Mr Turnbull was attempting to gain support for an energy climate policy through his party but this was rejected by the right of the party. By 24 August 2018, Mr Turnbull was removed in what was possibly the ugliest leadership battle in living memory.

Morrison Government delivers election Budget

On 2 April 2019, the Morrison Liberal/National Government delivered its final Budget just over a week before the Federal Election was called for 18 May. For the Prime Minister, **Hon. Scott Morrison, MP**, it was the final throw of the dice before an election in which his government was well behind in the polls. The budget which is usually delivered in May was the last act of the government in which it could appeal to voters and try and convince them to return the government. The Treasurer, **Hon. Josh Frydenberg, MP**, had some good news to tell. He was forecasting the first budget surplus in 12 years which he would claim was due to the superior economic management and discipline of Coalition Governments.

Mr Frydenberg announced that for 2019-20 there would be a budget surplus of AUD\$7.1 billion. He noted that *“surpluses*



will continue to build toward one per cent of GDP within a decade." Mr Frydenberg commented that *"only one side of politics can do this, because only one side of politics has done this. John Howard and Peter Costello paid off Labor's debt. And tonight the Morrison Government sets a path to do it again, without increasing taxes."*

The government's key initiatives focused on funding for infrastructure, personal income tax cuts and support for small businesses. In relation to tax cuts, Mr Frydenberg said that the government would protect against 'bracket creep'¹ by abolishing an entire tax bracket. From 1 July 2024 there will be a 30% tax bracket that will cover all taxpayers earning between AUD\$45,000 and AUD\$200,000 which will mean that 94% of taxpayers will pay no more than 30 cents in the dollar.

Mr Frydenberg announced that the government would boost infrastructure spending by AUD\$100 billion over

the decade. He concluded that *"under the Coalition, the economy will always be stronger, allowing you and your family to get ahead."*

The Leader of the Opposition, **Hon. Bill Shorten, MP**, in his budget reply speech, outlined the key initiatives of a future Labor Government. Mr Shorten commented that *"yes, there is a third Prime Minister and a third Treasurer but, where it mattered, the same Liberal budget - the same void where an energy policy should be, the same failure on stagnant wages and rising cost of living, the same denial on climate change, the same AUD\$14 billion cut to schools and the same AUD\$2.8 billion cut to hospitals. So tonight the first commitment I can give Australians, and one of the most important, is: if we win the next election, we will put back every single dollar that the Liberals have cut from public schools and public hospitals."*

In relation to tax cuts, Mr Shorten matched the

government's first round of cuts commencing on 1 July but would not commit to the government's plan to abolish a tax bracket. Mr Shorten stated that *"we will not be signing up to the Liberals' radical, right-wing, flat-tax experiment way off in the future, a scheme that would see a nurse on AUD\$50,000 paying the same tax rate as a surgeon on AUD\$200,000. We won't back a plan that gives a retail worker on AUD\$35,000 less than AUD\$5 a week while an investment banker pockets more than AUD\$11,000 a year."*

Labor announced that it would make a significant investment in Medicare to relieve the financial burden faced by cancer patients. Mr Shorten stated that *"tonight I'm announcing the most important investment in Medicare since Bob Hawke created it: Labor's AUD\$2.3 billion Medicare cancer plan. To my fellow Australians, I'll explain what that would be used for. First, if we win the*

election, we will invest AUD\$600 million towards eliminating all of the out-of-pocket costs for diagnostic imaging. Over four years this will mean six million free cancer scans funded by Medicare - CT scans, PET scans, mammograms, X-rays and ultrasounds - reducing the out-of-pocket costs for cancer patients from hundreds of dollars to zero, and this will apply to MRIs too. Today only half of the MRI machines - that amazing technology - in Australia are covered by Medicare. People in the bush and the regions often have to drive hours or pay thousands. If we win this election, not only will we provide new MRI machines to communities where they are needed most; we're going to change the game. We will guarantee that every single MRI machine which meets national standards is covered by Medicare for cancer scans, full stop."

¹ 'bracket creep' is an Australian term that describes an increased tax liability that results from a rise in income(s).

THIRD READING: AUSTRALIA

Wine Australia Amendment (Trade with United Kingdom) Act 2019

The legislation amends the *Wine Australia Act* to ensure that the United Kingdom continues to be treated as an 'agreement country' during a transition period for the UK's exit from the European Union. **Senator Hon. Anne Ruston**, Minister for International Development and the Pacific noted that *"the Australian Government has been working assiduously to protect and promote our market access and other trade interests with the UK and EU, in the lead up to Brexit."*

Senator Ruston commented that *"the UK is Australia's top wine export market by volume and third largest market by value. It is therefore vital we ensure the continuity of trade with the UK regardless of their Brexit arrangements."* Senator Ruston explained that the legislation *"introduces amendments to the Wine Australia Act to ensure that Australia's wine trade with the UK continues to be covered by the Act during any Brexit transition period, consistent with the terms of the*

Withdrawal Agreement. Specifically, the Bill will amend the definition of 'EC country' in the Act to include the UK, during a Brexit Transition Period."

Senator Ruston also noted that the Government will table an *Agreement between Australia and the United Kingdom on Trade in Wine* which is part of *"preparations for a 'no deal' Brexit, whereby the UK leaves the EU without a transition period or other measures in place."* Senator Ruston concluded that *"in the event of deal or no-deal Brexit, the combined efforts of this legislative amendment and our new Agreement with the UK will ensure that our wine industry can continue to export to the UK, post-Brexit."*

During debate in the House of Representatives, the Shadow Minister for Agriculture, Fisheries and Forestry, **Hon. Joel Fitzgibbon, MP**, noting the Opposition's support commented that *"the Wine Australia Amendment (Trade with United Kingdom) Bill 2019 is a rushed Bill for good reason. It's a Bill that is uncontroversial but borne by*

great controversy. That controversy is the events that we see continuously unfolding in the United Kingdom as they grapple with that very unfortunate decision by the people of that country that they no longer wanted to be part of the European Union. I fear that this will be the first of many issues we will find ourselves dealing with in this place as a consequence of the UK's inability to tackle that decision properly and to find outcomes that are acceptable to the people of the United Kingdom and, indeed, to the people of the broader European Union."

Treasury Laws Amendment (Strengthening Corporate and Financial Sector Penalties) Act 2019

The legislation implements certain recommendations of the Australia Securities and Investments Commission (ASIC) Enforcement Review Taskforce to introduce a stronger penalty framework for corporate and financial sector misconduct. The Treasurer, **Hon.**

THIRD READING: AUSTRALIA

Josh Frydenberg, MP, commented that “the government is committed to arming our financial services regulators with the powers needed to take strong action to protect consumers and to deter and prosecute corporate and financial sector misconduct. This is not only necessary to ensure that individuals and corporations who do the wrong thing are appropriately punished but also an essential part of rebuilding community trust in the financial services industry.”

Mr Frydenberg noted that “it is clear, through the work of the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry, that some financial institutions have engaged in conduct that falls well short of community expectations. This is not acceptable. This Bill delivers a clear message to those financial institutions and individuals that complying with the law is not negotiable. If the law is breached, the courts will have a broader range of penalties to impose, which will act as a significant deterrent.”

Mr Frydenberg explained that the legislation “amends the Corporations Act 2001 to more than double maximum imprisonment penalties for some of the most serious white-collar crimes, bringing Australia’s penalties in closer alignment with leading international jurisdictions. In addition, the legislation will increase several penalties for individuals by more than fivefold and increase civil penalties for corporations by more than tenfold.”

Courts will also be empowered to consider even greater penalties where the profits from misconduct are high or where the company’s annual turnover exceeds AUD\$105 million. Mr Frydenberg commented that “for example, in circumstances where a financial institution breaches its licence to provide financial services

efficiently, honestly and fairly, at the moment there is no penalty apart from taking licensing action, including taking their licence away. Under the new law, individuals could face a maximum civil penalty of three times the benefit gained, or just over AUD\$1.05 million, and companies could face a maximum of AUD\$10.5 million or three times the benefit gained, or 10 per cent of annual turnover (capped at AUD\$210 million).”

The Shadow Minister for Financial Services, **Ms Claire O’Neil, MP**, noted that the Opposition supports the legislation. Ms O’Neil commented that “all in all, the ASIC review task force produced a set of recommendations that we are generally supportive of. We’re generally supportive of strengthening penalties in the way that’s being done in this Bill, and I want to go through some of the specific changes. The Bill deals with criminal and civil penalty provisions in the Corporations Act, the ASIC Act and the National Consumer Credit Protection Act. It makes several changes to offences that exist within those acts. It increases penalties for individuals and corporations for both criminal offences and breaches of civil penalty provisions. It makes some changes to the penalties that sit with strict and absolute liability offences. It creates several new ordinary criminal offences – that is, offences that require some type of mental element or criminal intent to be proven. It introduces a disgorgement remedy for ASIC to use in civil penalty proceedings. That, in plain English, means that this law will allow a court to force someone who has benefited from a crime to essentially return the funds that have come from that crime. It creates a new infringement notice provision, which will give ASIC more options in punishing misconduct.”

European Union (Withdrawal) (No. 5) Bill

The Bill was introduced by **Rt Hon. Yvette Cooper, MP** (Lab) on 2 April 2019. The Bill sought to create a mechanism in which the House of Commons can instruct the UK Prime Minister to ask the European Council for an extension to the Article 50 period, the two-year period established by the Treaty of Lisbon for an EU member state to negotiate any future relationship before formally leaving the EU, subject to extension by agreement. The Bill as introduced would compel the Prime Minister to table a motion to seek approval for a proposed extension to Article 50, including the Prime Minister’s preferred exit date. This motion would be amendable and would also be legally binding. If the European Council propose a different date, the Prime Minister would have to table a further motion seeking Commons approval.

The most notable debates on this Private Members’ Bill were not during the stages of the Bill itself but during the business motions allotting time for it. Private Members’ Bills do not normally have priority in House of Commons business over Government business. However, **Rt Hon. Sir Oliver Letwin, MP** (Con), together with Rt Hon. Yvette Cooper, MP tabled a business motion (itself enabled by an earlier amendment and motion to provide time for debates and decisions on the negotiating mandate through ‘indicative votes’ with the European Union, debated on 3 April), allotting time in the House of Commons for the Bill to complete all its stages the same day. It also ensured that any amendments from the House of Lords would also be considered on a future day before the House adjourns.

During the debate on this business motion, the Leader of the House, **Rt Hon. Andrea Leadsom, MP**, told the House “the Government have consistently said that we do not support the unprecedented removal of Government control of the Order Paper, no matter the circumstances.”

Pete Wishart, MP (SNP), speaking in support of the business motion, told the House “I very much welcome today as another great innovation for Parliament. Precedents are there to be established, and again we are doing that in this House.”

Some Members expressed a concern



THIRD READING: UNITED KINGDOM

over the speed at which the Bill would pass both Houses of Parliament, with **Rt Hon. Iain Duncan Smith, MP** (Con) telling the House *"I worry that future Governments, of whichever persuasion, will reference this device and frequently conclude that time must be curtailed because it is their right to do so."*

Rt Hon. Sir Oliver Letwin, MP defended the business motion, telling the House *"we have discussed with the Government, at their request, changes that would accommodate those concerns. We expressed our total willingness to include those amendments at this stage in the Commons."*

The business motion passed by a majority of just one: by 312 to 311, thus ensuring time for the Bill. An amendment to the business motion by **Rt Hon. Hilary Benn, MP** (Lab) to include further indicative votes on a subsequent day divided equally – with 310 votes to 310. The Speaker, in accordance with precedent, cast his vote with the Noes. The Bill passed all its stages in the Commons on 3 April and progressed to the House of Lords.

On 4 April, **Baroness Hayter of Kentish Town**, Shadow Deputy Leader of the House of Lords (Lab), tabled a business motion to dispense with Standing Orders 46 (no two stages of a Bill to be taken on one day) and 39 (Order of Business) to allow the Bill to be taken through all its stages that day. However, seven amendments were tabled to the business motion. The debates on the amendments to the business motion continued for nearly seven hours in the House of Lords.

Lord Hunt of Kings Heath (Lab) told the House that *"The role of this House is not to filibuster."* **Lord Robathan** (Con) responded *"I agree: it should not be about filibustering. However, I and a great many other people believe we are acting as a check on the wrong procedure down the other end."*

During debates, Members of the House of Lords can move *'that the Question be now put'*, otherwise known as a closure motion. Closure motions are seldom used, with only seven closure motions being put and passing since 1900. However, on 4 April 2019, six closure motions were moved and divided on, with each passing. This forced subsequent divisions on the amendments tabled to the business motion.

At 6.45pm, over seven hours after Baroness Hayter of Kentish Town moved her business motion, the Government Chief Whip, **Rt Hon.**

Lord Taylor of Holbeach (Con), made a short statement to the House, stating that *"an agreement within the usual channels regarding the stages of the European Union (Withdrawal) (No. 5) Bill [has been reached]. We have agreed that Second Reading will take place today"*. He later told the House that *"The House of Commons will remain open until it receives a message from this House on Monday."*

Subsequently, the Second Reading in the House of Lords was completed in the evening of 4 April and the remaining stages on Monday 8 April, at which point a number of amendments were made, including removal of the provision for a second Commons vote in response to a European Council proposal. The Bill was sent back to the House of Commons for consideration of the Lords amendments which were agreed to and the Bill received the Royal Assent that evening.

Rt Hon. Yvette Cooper MP (Lab) said *"we are hugely grateful for the Clerks' expertise, without which it would not be possible for any backbencher or any Member to propose amendments or legislation in any form. That has proved particularly important in these extremely unusual and fast-moving circumstances."*

Animal Welfare (Service Animals) Bill

The Bill was introduced by **Sir Oliver Heald, MP** (Con) to amend the *Animal Welfare Act, 2006*. Sir Oliver Heald explained during the Third Reading debate in the House of Commons why he had introduced the Bill. His constituent, Police Constable (PC) Wardell and his police dog, Finn, were called to a suspected robbery. The suspect, in attempting his escape *"lunged at Finn with a 10-inch bladed hunting knife and stabbed him right through the chest several times. He then turned his attention to PC Wardell. Finn intervened to save PC Wardell as the blade was aimed at his face. Finn put himself in the way to save the officer."* Fortunately, Finn survived the attack.

Sir Oliver Heald stated that when it came to charging the offender *"there were two potential charges for the injuries to Finn*

himself - either causing "unnecessary suffering" to an animal under section 4 of the Animal Welfare Act 2006, or section 1 of the Criminal Damage Act 1971. Neither offence properly provides for the criminality involved in the attack on Finn. In the event, an offence of criminal damage was brought, but this treated Finn as though he were simply a piece of police property that had been damaged."

Throughout many stages of the Bill, Finn attended proceedings. During Committee stage in the House of Commons, the Chair, **Karen Buck, MP** (Lab), opened proceedings by saying *"please switch electronic devices to silent. If dogs could be switched to silent I am sure that would also be very welcome, but I appreciate that is a little more difficult."*

Once the Bill reached the House of Lords, Finn and PC Wardell sat in the public gallery to observe the Second Reading of the Bill. During this debate, **Baroness Karen Brady** (Con) stated *"Although it began its parliamentary journey as a Private Member's Bill, it now enjoys official support from the Government through the Department for Environment, Food and Rural Affairs. However, PC Wardell put it best when he said: 'This campaign and Bill is my way of saying thank you to Finn for saving my life'. I find it hard to argue with that."*

The Bill passed both Houses without division and received Royal Assent on 8 April 2019.



SECOND 'MEANINGFUL VOTE' IN THE UK PARLIAMENT

The UK Prime Minister, **Rt Hon. Theresa May, MP**, tabled a second 'meaningful vote' on 12 March 2019 for the UK Government's negotiated Withdrawal Agreement for leaving the European Union (EU). This followed the Government's defeat by a historic margin in January 2019. The Government tabled the motion to approve the Withdrawal Agreement after seeking further assurances from the EU on the Northern Irish backstop. The 'backstop' would mandate that if no permanent arrangement for the future relationship which addresses the unique circumstances on the island of Ireland (i.e. the land border between the UK and the EU) has been agreed at the end of a transition period, and there is no agreed extension of a transition period, a single customs territory arrangement between the (European) Union and the United Kingdom is 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). This proved controversial, most notably for the Democratic Unionist Party (DUP) who have a supply and confidence agreement with the Conservative Party who are in government, but opposed the Withdrawal Agreement in January 2019 because of the backstop.

The reassurances sought from the EU by the Government resulted in a Joint Instrument from the UK Government and the EU, and an accompanying Unilateral Declaration from the UK Government concerning the Withdrawal Agreement, published on 11 March 2019. The Attorney General, **Rt Hon. Geoffrey Cox, QC, MP (Con)**, wrote to the Prime Minister the following day to provide his legal

opinion on the Joint Instrument and Unilateral Declaration. He concluded that *"the legally binding provisions of the Joint Instrument and the content of the Unilateral Declaration reduce[d] the risk that the United Kingdom could be indefinitely and involuntarily detained within the Protocol's provisions [i.e. the backstop]."* However, the final paragraph of his letter also noted that *"the legal risk remains unchanged... [because] the United Kingdom would have, at least while the fundamental circumstances remained the same, no internationally lawful means of exiting the Protocol's arrangements, save by agreement."*

This was interpreted by a number of MPs during the debate on the motion, including the DUP, to mean that the UK could still be locked into a backstop arrangement.

Following the debate, the motion was defeated 391 to 242, a majority of 149. Although a significant defeat, opposition to the deal fell by 81 MPs compared to the first 'meaningful vote'.

Votes on a 'No Deal' Brexit and Extension of Article 50

Following the defeat of the Government motion on 12 March, the Prime Minister **Rt Hon. Theresa May, MP**, tabled two further motions for 13 and 14 March. The first was a motion declining to approve leaving the EU without a deal, and the second sought to extend the Article 50 deadline beyond 29 March 2019. Article 50 sets the formal period as established by the Treaty of Lisbon between notification of an EU member state's intention to withdraw and withdrawal itself, which provided the UK with a two-year timeframe to negotiate any

future relationship, subject to extension by agreement.

Two amendments were selected by the Speaker of the House of Commons, **Rt Hon. John Bercow, MP** to the Prime Minister's motion to reject leaving without a deal, notably **Dame Caroline Spelman MP's (Con)** which would reject *"the United Kingdom leaving the European Union without a Withdrawal Agreement and a Framework for the Future Relationship."* This backbench amendment gained the support of the Official Opposition.

Although the amendment expressed that the House of Commons was against leaving the EU without a deal in principle, it did not change it as the legal default at the end of the Article 50 period. During the debate, Dame Caroline did not move the amendment. However, the Speaker of the House of Commons said *"the amendment is in the ownership of the House"* and it was moved by **Rt Hon. Yvette Cooper MP (Lab)**. It passed by a majority of 4 votes – 312 to 308. Subsequently, the amended motion passed by 321 to 278.

The following day (14 March), the House debated the motion that the Government should seek to extend Article 50 beyond its initial deadline, thus moving 'exit day' beyond 29 March. Four amendments were selected by the Speaker for debate, three of which were divided on but was negated. The original motion passed by 412 votes to 202. Following the vote, the Prime Minister formally requested an extension from the EU. The European Council subsequently agreed to delay 'exit day' until 12 April 2019. However, should MPs approve the Withdrawal Agreement, 'exit day' would move to 22 May to provide the UK Parliament

with sufficient time to pass the necessary legislation, whilst avoiding the requirement to participate in European Parliament elections. A statutory instrument extending the date was laid on 25 March before Parliament and was approved.

Backbench control of the Parliamentary timetable

Rt Hon. Dominic Grieve, QC, MP's (Con) amendment to the business motion for the first meaningful vote debate on 4 December 2018 established that, should the House of Commons refuse to approve the negotiated Withdrawal Agreement (in a 'meaningful vote'), MPs could table amendments to the neutral motion which the Government was obliged to bring forward following a defeat, as mandated by the *EU (Withdrawal) Act 2018*.

The Government tabled such a motion for debate on Monday 25 March. **Rt Hon. Sir Oliver Letwin, MP (Con)** notably tabled an amendment (a) to the motion which would suspend Standing Order 14(1) (which provides that government business shall have precedence at every sitting) on Wednesday 27 March, thus giving backbench business precedence over Government business, subject to the Speaker's decision. **Rt Hon. Stephen Barclay, MP (Con)**, Secretary of State for Exiting the European Union, described the amendment as *"unprecedented in nature"* during the debate.

Rt Hon. David Lidington, MP (Con), Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, told the House of Commons that *"the Government take the view that amendment (a) would upset the balance between Legislature and Executive in a way that would set an unwelcome precedent,*



and it is for that reason that we are not supporting it." Sir Oliver Letwin responded to David Lidington in the debate, saying "Given that his objection to our amendment is ostensibly simply the constitutional one... could my Right Hon. Friend simply tell us whether on Wednesday, if our amendment fails, the Government intend to operate exactly the same principles as are contained within that amendment...?" Mr Lidington responded, "I cannot give a commitment immediately for that or of that level of detail, but I will have further discussions."

Despite further discussions and Government opposition, this amendment passed by 329 votes to 302, and the motion as amended passed by 327 to 300.

Use of indicative votes

Rt Hon. Sir Oliver Letwin, MP (Con) moved a business motion on Wednesday 27 March 2019 which established a process for indicative votes in the House of Commons to take place on the UK's withdrawal from and future relationship with the European Union. This business motion was debated and passed by 331 to 287. The Speaker then selected eight different motions tabled by MPs. These would form the voting options

for MPs – a series of so called 'indicative votes' – relating to the UK's withdrawal from and future relationship with the EU. Members could vote Aye or No to each option on a ballot paper. This was only the second time indicative votes have been held in the House of Commons. The first in 2003, in which MPs voted on different options for how to reform the House of Lords, did not produce a majority for any of the proposals.

Members of Parliament debated the eight motions for approximately three and a half hours, before then having half an hour to fill out and submit their ballot papers. No motion commanded majority support. A second round of indicative votes was held on 1 April as a result of Rt Hon. Sir Oliver Letwin, MP tabling another business motion for this purpose. Again, there was no majority for any of the four options selected by the Speaker. The closest to a majority was the Rt Hon. Kenneth Clarke MP's motion for a customs union, which was defeated by a majority of 3 (276 to 273).

Third vote on the Withdrawal Agreement

On 18 March 2019, the Speaker of the House of Commons, Rt Hon. John Bercow, MP said

in an announcement to the House of Commons regarding a possible third meaningful vote, "What the Government cannot legitimately do is to resubmit to the House the same proposition or substantially the same proposition as that of last week, which was rejected by 149 votes."

On Thursday 28 March, the Leader of the House, Rt Hon. Andrea Leadsom, MP, tabled a business motion for a third vote on the Withdrawal Agreement for the following day. She told the House, "any motion brought forward tomorrow must comply with the Speaker's ruling." The Speaker later told the House in a statement that "I am pleased to report to the House that the Government's motion for tomorrow's debate complies with the test set out on page 397 of the 24th edition of 'Erskine May' ... The previous meaningful vote motion encompassed both the Withdrawal Agreement and the political declaration. This motion covers the former but not the latter."

Following this statement, the Leader of the House moved the motion that the House shall sit on Friday 29 March. She faced questions from Members on the consequences of splitting the Withdrawal Agreement and political declaration (a non-binding framework for the future relationship between the European Union and the United Kingdom).

Chris Bryant, MP (Lab) asked, "if the motion were carried tomorrow, the Government would not be able to ratify the Withdrawal Agreement treaty. Is that correct?" The Leader of the House replied "No. It would mean that the Withdrawal Agreement Bill would then be before the House." The business motion passed and the House of Commons debated the Withdrawal Agreement for a third time on Friday 29 March.

No amendments were selected by the Speaker on this

occasion. When moving the motion, the Attorney General, Rt Hon. Geoffrey Cox, QC, MP, told the House "This motion sets out clearly that it is not a meaningful vote pursuant to section 13(1)(b) of the [European Union (Withdrawal)] Act [2018]. It is designed solely to give the opportunity to this House of taking advantage of the right that we have in international law."

During the debate, a number of notable opponents previously to the Withdrawal Agreement stated that they would now vote in favour. Rt Hon. Dominic Raab, MP (Con), who resigned in November 2018 as Secretary of State for Exiting the European Union over his opposition to the backstop, told the House, "I will vote for the motion. I do so without prejudice to my position on the section 13 meaningful vote, and to achieve two essential outcomes: to stave off a longer extension, and to prevent European elections from being held in May."

However, the Opposition continued to oppose the Withdrawal Agreement, with Labour Party Leader, Rt Hon. Jeremy Corbyn, MP, stating, "today, [the Prime Minister] is asking us to take a punt on the Withdrawal Agreement and hope for the best for the political declaration. It is not good enough; the two are linked."

The Democratic Unionist Party (DUP) also continued to oppose the Withdrawal Agreement due to the backstop.

The motion was again defeated, by 344 votes to 286 – a majority of 58, a further decline from the first meaningful vote defeat of 230 and the second of 149. This was the 18th Government defeat in this Parliament. Since this vote, the UK Government has agreed a further extension of Article 50 with the EU Council until 31 October 2019.



The Taxation (Annual Rates for 2018-2019, Modernising Tax Administration, and Remedial Matters) Bill

The Taxation (Annual Rates for 2018-2019, Modernising Tax Administration, and Remedial Matters) Bill, an omnibus Bill to modernise the administration of the tax system and improve tax settings, passed its Third Reading on 12 March 2019. The Bill, passed with 63 votes to 57, introduced several “major tax policy improvements” aimed at simplifying tax obligations for taxpayers, explained the Minister of Revenue, **Hon. Stuart Nash, MP** (Labour). Many of these had cross-party support, including changes to KiwiSaver (a voluntary savings initiative), addressing secondary tax issues, and the introduction of “short-process rulings” for smaller businesses in place of binding rulings. Mr Nash, the Minister in charge of the Bill, outlined that the changes would “help individuals to use the right tax code during the year so that about the right amount of tax is deducted from their income during the year. It will remove unnecessary compliance obligations. It will simplify filing obligations and help refunds be paid out automatically for most wage, salary, and investment income earners.”

However, it was the annual confirmation of income tax rates that Opposition Members took issue with. The primary concern, argued **Mr Andrew Bayly, MP** (National), was that it would maintain current “high” tax rates on taxpayers: “We, on this side, remain implacably opposed to anything that enshrines the tax rates as they are at a personal level because New Zealanders should be able to keep what they earn, as much as they should earn, and pay only that amount of tax which is fair and reasonable.”

Mr Brett Hudson, MP (National) labelled the Bill an “opportunity lost”, while **Hon.**

Amy Adams, MP (National) claimed that the Bill “overtaxes New Zealanders” as the tax thresholds within the Bill had not been successfully adjusted for inflation since 2010.

However, **Dr Deborah Russell, MP** (Labour) refuted this: “Yes, we can always think about the amount of tax that we ought to be collecting, but at the same time we need to think about what we want to do with those taxes, and at the same time we need to think about how we fund our society.”

A concern was raised around bloodstock – as discussed in one of two papers of proposed amendments released by Mr Nash in the form of Supplementary Order Papers (SOPs). **Mr Ian McKelvie, MP** (National) said they had had “great hope” for changes in the racing industry but that “unfortunately, they did not work out as they were intended, and our mutual concerns were ... recognised when, in fact, I don’t think one single thoroughbred qualified for the benefits of the tax changes made.” This SOP proposed amendments to the principal tax legislation to give effect to the Government’s policy of encouraging new investment in bloodstock breeding by allowing tax deductions on the cost of high-quality horses acquired for breeding. The Finance and Expenditure Committee recommended it be incorporated into the Bill, with minor amendments.

There was support from both sides for the Finance and Expenditure Committee’s recommendation that a section of legislation pertaining to the powers of the Inland Revenue Commissioner be removed. It will be revisited under another tax Act. **Dr Duncan Webb, MP** (Labour) explained: “it was proposed that the Commissioner have an ability to, essentially, suspend the operation of parts of the law where there were obvious drafting errors and the purpose

of the Act wasn’t achieved. We ... suggested that further scrutiny of that was required because, of course, it’s an extraordinary power for a Member of the Public Service to [have]”.

The Bill received the Royal Assent on 18 March 2019.

Social Workers Registration Legislation Bill

The Social Workers Registration Legislation Bill, an omnibus Bill, was introduced on 9 August 2017 to increase the professionalism of the social work profession in New Zealand by: extending coverage of the regulatory regime, making the registration system compulsory for all social workers, ensuring social workers are competent and fit to practise, protecting the use of the title ‘social worker’, providing an appropriate complaints and disciplinary process, and increasing the effectiveness and transparency of the Social Workers Registration Act. The Bill passed into law on the 27 February 2019, having received unanimous support at its Third Reading.

The Minister in charge of the Bill, **Hon. Carmel Sepuloni, MP** (Labour) stated during her Third Reading speech: “[the Bill] will provide greater public certainty that people practising as social workers will have the right qualifications, experience, and on-going professional development to deliver the support that is needed. In return, social workers will be better recognised for the valuable work they do, and the legitimacy of their role will be concrete.” She acknowledged that the Bill came about in response to “stories reported in the media of social workers who were causing harm and distress to people because they were operating beyond their level of competence and they were not sufficiently qualified, let alone registered.”

Minister for Pacific Peoples, **Hon. Aupito William Sio, MP** (Labour) used his Third Reading speech to praise social workers and to explain how the Bill relates to the upcoming 2019 Budget: “I think it’s really timely, Minister Sepuloni, that this Bill is passed, particularly in light of the new Government, who are looking to release its first well-being Budget, a new Government whose focus is on protecting young people and placing children and families at the centre of the focus of our work.”

During the Second Reading and subsequent Committee of the whole House, the Opposition criticised the Government for its handling of the scopes of practice for social workers. **Hon. Louise Upston, MP** (National) commented: “In the Select Committee process, the scopes

of practice were raised on multiple occasions, and despite the National Members requesting on more than one occasion for an extension to the report-back time frame - which was only two months from the close of submissions - the Labour Members declined that request. So there was quite a lot of frustration in the Select Committee process that Members couldn't explore all of the issues and concerns that were raised by submitters, and, actually, that's the job of a Select Committee."

However, **Mr Dan Bidois, MP** (National) acknowledged that the Social Workers Registration Legislation Bill was the culmination of "a 16-year-long process" that had been "going on over several Parliaments." He praised the efforts of "the former Minister for Social Development, the Hon. Anne Tolley, for her work bringing this Bill into the House."

Similarly, **Hon. Alfred Ngaro, MP** (National) praised Minister Sepuloni for shepherding the legislation through the House: "I do want to acknowledge the Minister for championing this through, and though we've had our battles over the debates, we talked a little bit about the practice, and I think at the end of the day we all want the same thing."

The Bill was supported by the Government's confidence and supply partner, the Green Party of Aotearoa New Zealand. **Mr Clayton Mitchell, MP** (NZ First) commented that the passage of the Bill "is a perfect opportunity to show the collegiality of the House and how we can actually come together and not squabble and fight like seagulls fighting over a chip."

Ms Jan Logie, MP (Green) stated that the passage of the Bill "is a really significant moment in the history of social work in this country, and the implications of this legislation are profound for the profession and, we hope, will have a real impact on the sense of confidence from the public in the social work profession."

Crimes Amendment Bill

The Crimes Amendment Bill passed its Third Reading on 5 March 2019 with unanimous support in the House. The Minister of Justice, **Hon. Andrew Little, MP** (Labour) explained that the Bill "ensures that the criminal law of New Zealand is kept up to date and reflects the values of the modern and diverse society that New Zealand is today ... by repealing three archaic laws from the Crimes Act." He noted that the Bill also "includes two new offences to address the scourge of livestock rustling and the related issue of unlawful entry on to agricultural land." The two new offences were added with the agreement

of all parties during the Committee of the whole House.

The Bill repeals from the Crimes Act 1961, the offence of blasphemous libel (not prosecuted in New Zealand since 1922), spousal protection in instances where they would otherwise be an accessory after the fact, and the "year-and-a-day rule", a law which has until now provided "that no one is criminally responsible for the killing of another person unless the death takes place within a year and a day after the cause of death."

The addition to the Crimes Act, via an amendment tabled by Mr Little, of the theft of livestock and other animals means that, if a person commits theft of any livestock or any animal that is the property of any other person, they will now be liable to imprisonment for a term not exceeding 7 years. Entry on to agricultural land with intent to commit an offence may now result in imprisonment of up to 10 years.

Opposition Member and former Minister, **Hon. Maggie Barry, MP** (National) stated that the Bill "is an excellent addition to the legislation that we have. By repealing and getting rid of obsolete, anachronistic laws that no longer have any real relevance to people's lives, it does the law a favour." Regarding the theft of livestock and other animals, she was "delighted that this has come through in the way of a Supplementary Order Paper (SOP) and is being supported." She believed the legislation would "be welcomed by the public of New Zealand. It is certainly welcomed and supported by us in the House."

Fellow Opposition Member, **Mr Chris Bishop, MP** (National) reiterated Ms Barry's position: "this is a sensible piece of legislation that the National Party has supported the whole way through."

At the Committee of the whole House, former Minister, **Hon. Dr Nick Smith, MP** (National) tabled the following amendment in respect of the repeal of the "year-and-a-day" rule: "To avoid doubt, the repeal of section 162 applies to any death that occurs after the Crimes Amendment Act 2019 comes into force." He explained that "society today has become so much more sophisticated and complex,

and that, actually, there are lots of things that New Zealanders can do that may not cause an immediate death but, down the track, can be incredibly dangerous."

However, Mr Little countered: "Dr Nick Smith says that it is not National's intent to apply the law retrospectively, but that would have been the effect of his Supplementary Order Paper 192, had it been agreed to by the Committee. If the date of death is the only date that matters, as it would have been under Dr Smith's proposed change to the transitional provision in the Bill, the law will necessarily be retrospective in effect."

Mr Darroch Ball, MP (NZ First) commented: "Minister Andrew Little actually, not only handled that issue well, but also gave a very impassioned speech directly to the families of the victims who died in the CTV Building." The CTV Building collapsed during the 2011 Christchurch earthquake, killing 115 people, but the designer of the building was not able to be prosecuted for deaths arising from negligence, because of the existence of the "year and a day rule" at the time of the building's design.

Ms Golriz Ghahraman, MP (Green) added: "the suggestion that we pass law now to apply retrospectively would breach a fundamental constitutional norm which says that no one can be liable for a crime - especially a crime, but any type of legal liability - that didn't exist at the time that they did the act for which we are holding them accountable."

The Bill received the Royal Assent on 11 March 2019.



LAST SESSION OF 16TH LOK SABHA AND PREPARATIONS FOR ELECTIONS IN INDIA

The present 16th Lok Sabha met in its seventeenth and last session from 31 January to 13 February 2019. Being an election year, only essential business was transacted during this short session. Being also the first session of the year and as required by the Constitution, the President of India, **Shri Ram Nath Kovind** addressed the Members of both Houses of Parliament assembled together in the Central Hall of Parliament on 31 January 2019.

The Lok Sabha, after over 11 hours of long debate, passed the Motion of Thanks on the President's Address on 7 February 2019. Being an election year, the Interim Budget 2019-2020 was presented by the Finance Minister on 1 February, which was later approved by the House after a debate.

On 13 February 2019, the last day of the last session of Lok Sabha, Speaker of the House, **Smt. Sumitra Mahajan** expressing her profound gratitude thanked all sections of the House for the support and cooperation extended in the course of the discharge of her duties as the Presiding Officer. **Smt. Mahajan** said, as Speaker, she made sincere efforts to conduct the proceedings of the House in an impartial manner and to the best of her ability and upheld the dignity of the House. As the Presiding Officer, she humbly tried to promote quality debate on all issues by giving opportunities to all sections of the political spectrum in the House and facilitated smooth and orderly transaction of the business. The Speaker tried her best to give opportunity to Members belonging to different parties, large or small, to ask

supplementary questions and to raise important matters in the House. The Lok Sabha took many decisions for promoting the welfare of poor and the deprived and for building a new India.

Giving a brief account of the work done by the House in the last five years, **Smt. Mahajan** said the 16th Lok Sabha, constituted on 18 May 2014, met for the first time on 4 June 2014. In all, there were 331 sittings and the House sat for more than 1,612 hours. While a total of 422 hours and 19 minutes were lost due to interruptions, the House sat late for 728 hours to finish its scheduled business. In a parliamentary democracy, putting questions is an important instrument in the hands of the Members to scrutinize the functioning of the Executive.

In the 16th Lok Sabha, 6,460 Starred Questions were listed, out of which 1,178 Questions were answered orally. Written replies to the remaining Starred Questions along with 73,405 Unstarred Questions were laid on the Table of the House. Five half hour discussions were also taken up.

A total of 219 Bills were introduced during the 16th Lok Sabha and 205 Government Bills were passed by the House and nine Government Bills were withdrawn. Some of the important Bills passed during the 16th Lok Sabha included the Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Bill, 2015; the Juvenile Justice (Care and Protection of Children) Bill, 2015; the Insolvency and Bankruptcy Code Bill, 2016; the Benami Transactions (Prohibition) Amendment Bill, 2016; the Constitution (One Hundred

and First Amendment) Bill, 2016 regarding introduction of the Goods and Services Tax and to confer simultaneous powers on Parliament as well as the State Legislatures, including Union Territories with Legislatures: the Integrated Goods and Services Tax Bill, 2017; the Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Bill, 2016; the Mental Health Care Bill, 2017; the Constitution (One Hundred and Second Amendment) Bill, 2018 regarding constitution of the National Commission for Backward Classes under the newly inserted Article 338B of the Constitution; the Fugitive Economic Offender Bill, 2018; the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Bill, 2018 and the Constitution (One Hundred and Third Amendment) Bill regarding reservation for economically weaker sections of society in higher educational institutions.

As many as 1,117 Private Members' Bills were introduced during the 16th Lok Sabha. Private Members' Resolutions on important subjects were also moved. The concerned Ministers laid 23,808 papers on the Table of the House. A total of 6,244 matters of urgent public importance were raised by the Members after the Question Hour and at the end of the sitting. Members also raised 4,718 matters under rule 377. The House negatived an adjournment motion by voice vote after a discussion. The House also discussed a Motion of No-Confidence for more than 11 hours and rejected it after a division.

Speaker **Smt. Mahajan** allowed a number of matters

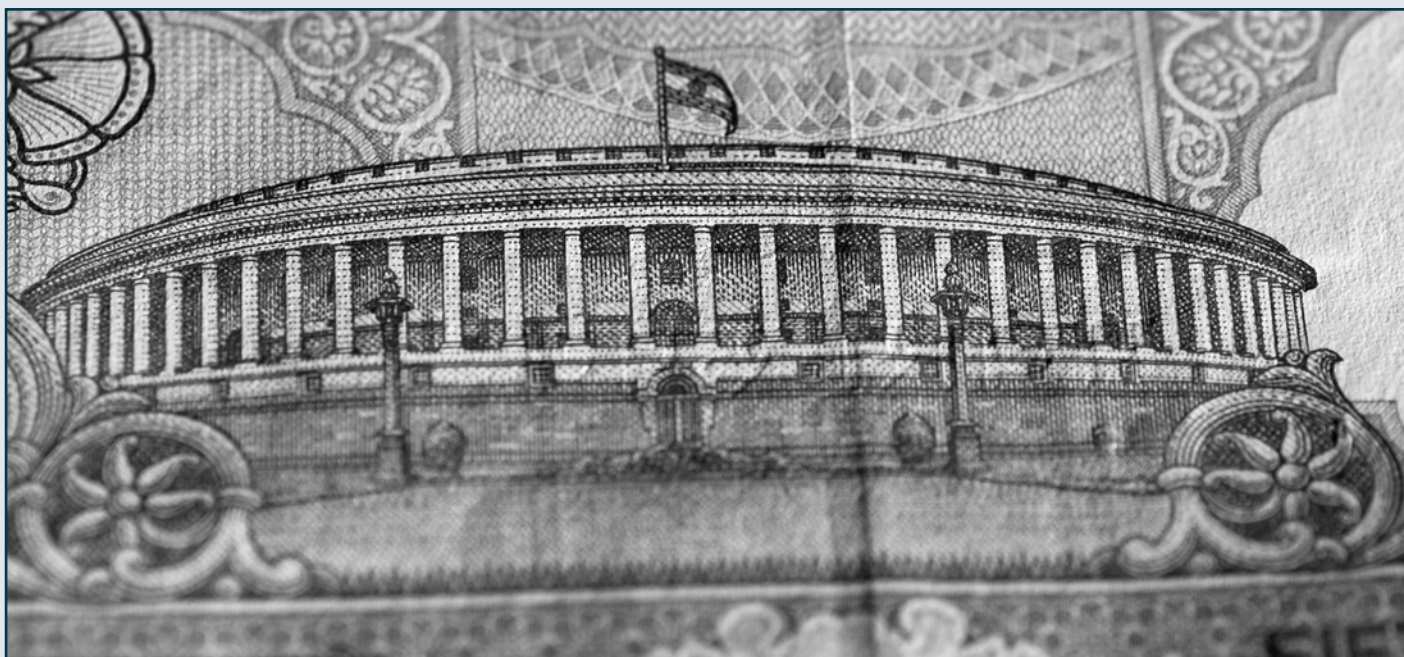
under 'Calling Attention' which helped Members in getting response from the Ministers. In fact, 18 'Calling Attention' matters were raised during this period.

Ministers made 679 Statements on various important subjects. The Lok Sabha held 33 Short Duration Discussions under Rule 193 on various important matters, out of which nine remained part-discussed.

The Parliamentary Committees including the Standing Committees functioned effectively and efficiently and made many important recommendations. The Standing Committees of Lok Sabha presented as many as 730 Reports. The Speaker was happy that Members almost on all occasions considered the issues and problems which came before the Committees in a non-partisan manner.

Taking a new initiative, Speaker constituted the Speaker's Research Initiative (SRI) to assist Members in understanding various subjects in depth for their effective participation in debates. SRI organized 37 workshops on various subjects and as per the feedback received from Members it helped them in their participation in discussions taking place in the House.

SRI also organized two conferences including the National Women Legislators Conference in March 2015. The one and three months duration Internship Programmes launched by SRI made it possible for young students to come to Parliament, watch the House at work and understand what Parliament is all about. The Fellowship Scheme under SRI facilitated research on various subjects related to parliamentary processes and



the working of Parliament. A National Legislators Conference under the auspices of Indian Parliamentary Group was organized in 2018 on the theme 'We for Development'.

The Bureau of Parliamentary Studies and Training (BPST) of the Lok Sabha Secretariat, in addition to its various activities, organized an orientation programme for the media persons from various States including those accredited to State Legislatures or working at the district level to understand the functioning of Lok Sabha.

The introduction of Members e-portal for tabling Notices online was a huge success as Members have started tabling various notices online. A new portal called e-parl was launched for the convenience of Members. These steps were part of an overall scheme to make the Lok Sabha and its Secretariat paperless.

The Speaker observed, "As we adjourn sine die today, it is a mixed feeling that I have – I have a feeling of quiet satisfaction, which I share with you in all humility, that I have honestly tried to uphold the dignity and prestige of the high constitutional office of the Speaker in regulating the

proceedings of this House in the highest parliamentary traditions and in affording all opportunities to Hon. Members to participate in the proceedings and express their voices. In discharging my duty, it has always been my endeavour to protect to the best of my ability the rights and privileges of the House and the Hon. Members irrespective of their political affiliations and to further enhance the high ideals of our parliamentary system." She said she was completely overwhelmed by the tremendous outpouring of support and appreciation that she received not only from the citizens of the country but also from the India diaspora, for what they acknowledged as her principled stand on various vital issues. In her concluding remarks, the Speaker further added, "We all have lived like a family during these five years in discharge of our democratic duties. Now, all have to go before the people to seek their blessings once again according to the highest established traditions of our democracy. Therefore, I have a mixed feeling of satisfaction and parting in my heart."

Members from various parties and groups in Lok Sabha thanked the Speaker for running the House smoothly and for protecting the dignity of Parliament. The Prime Minister of India, **Shri Narendra Modi** said it was a matter of great joy that for the first time ever both the Speaker and the Secretary-General of Lok Sabha were women. The Prime Minister said it was during his tenure that India became the sixth largest economy in the world and was marching ahead in the direction of becoming a five trillion dollar economy. He said the existence of a Government with full mandate was the main reason for India's voice being heard with all the attention and seriousness in the international arena. The credit for India making its mark in the world went to the decision taken by its 1.25 billion citizens in 2014 elections. The Prime Minister thanked all Members for playing their role in maintaining a healthy democratic tradition.

The five-year term of the 16th Lok Sabha is due to expire on 3 June 2019. In view of that, on 10 March 2019, the Election Commission of India announced the schedule for holding general election to the

17th Lok Sabha in 2019 and the Legislative Assemblies of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim in 2019. Starting from 11 April 2019, poll for the 543 seats of Lok Sabha is being held in seven phases and counting of votes will be conducted on 23 May 2019 and results will be declared the same day.

The total electorate in the country as per finally published e-rolls in reference to 1 January 2019 is approximately 900 million compared to 814.5 million in 2014. This marks an increase of more than 84 million electors. Over 15 million electors are in 18 to 19 year age group. All the States and Union territories have Photo Electoral Rolls (PERs) and 99.36% of electors have been given Electoral Photo ID Card (EPIC). The Election Commission has decided to use Voter Verifiable Paper Audit Trail (VVPAT) along with Electronic Voting Machine (EVM) at polling stations to enhance the transparency and credibility of the election process as VVPAT allows the voter to verify his/her vote.



The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill, 2018

The *Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015* was enacted for the constitution of Commercial Courts, Commercial Division and Commercial Appellate Division in the High Courts for adjudicating commercial disputes of specified value and for matters connected therewith or incidental thereto.

The global economic environment had since become increasingly competitive and to attract business at international level, it was felt that India needed to further improve its ranking in the World Bank *'Doing Business Report'* which, *inter alia*, considers the dispute resolution environment in the country as one of the parameters for doing business. Further, the tremendous economic development had ushered in enormous commercial activities in the country including foreign direct investments, public private partnership, etc., which had prompted initiating legislative measures for speedy settlement of commercial disputes, widen the scope of the courts to deal with commercial disputes and facilitate ease of doing business. Needless to say that early resolution of commercial disputes of even lesser value creates a positive image amongst the investors about the strong and responsive Indian legal system. It was, therefore, proposed to amend the *Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015*.

As Parliament was not in session and immediate action was required to be taken to make necessary amendments in the *Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015*, to further improve India's ranking in the *'Doing Business Report'*, the President of India promulgated the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Ordinance, 2018 on 3 May 2018.

It was hence proposed to introduce the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill, 2018 to replace the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Ordinance, 2018.

Salient Features of Amending Legislation:

In the Amending legislation, following provisions had been made: -

- to reduce the specified value of commercial disputes from the existing one crore rupees to three lakh rupees, and to enable the parties to approach the lowest level of subordinate courts for speedy resolution of commercial disputes;
- to enable the State Governments, with respect to the High Courts having ordinary original civil jurisdiction, to constitute commercial courts at District Judge level and to specify such pecuniary value of commercial disputes which shall not be

less than three lakh rupees and not more than the pecuniary jurisdiction of the district courts;

- to enable the State Governments, except the territories over which the High Courts have ordinary original civil jurisdiction, to designate such number of Commercial Appellate Courts at district judge level to exercise the appellate jurisdiction over the commercial courts below the district judge level;
- to enable the State Governments to specify such pecuniary value of a commercial dispute which shall not be less than three lakh rupees or such higher value, for the whole or part of the State; and
- to provide for compulsory mediation before institution of a suit, where no urgent interim relief is contemplated and for this purpose, to introduce the Pre-Institution Mediation and Settlement Mechanism and to enable the Central Government to authorise the authorities constituted under the *Legal Services Authorities Act, 1987* for this purpose.

The broad view among Members was this Amending Bill was topical and sought to address dispute resolution matters which emerged over the years.

The Amending Bill was passed by Lok Sabha on 1 August 2018 and by Rajya Sabha on 10 August 2018. The Amending legislation as passed by both Houses of Parliament was assented to by the President of India on

THIRD READING: INDIA

20 August 2018. The *Commercial Courts, Commercial Division and the Commercial Appellate Division High Courts Act, 2015* accordingly stood amended.

The Homoeopathy Central Council (Amendment) Bill, 2018

The Homoeopathy Central Council Act, 1973 was enacted for constitution of the Central Council of Homoeopathy and the maintenance of the Central Register of Homoeopathy and for matters connected therewith.

The *Homoeopathy Central Council Act, 1973* was amended in the year 2002 to make provision for seeking permission of the Central Government for establishing new colleges or starting new courses of study or increasing the admission capacity in existing colleges. The amendment had been made to check the growth of sub-standard Homoeopathy Colleges. Further, many Homoeopathy Medical Colleges were still struggling to meet the required standards necessary to impart quality education. There had been instances of serious malpractices in the Council, as a result of which the quality of medical education has been compromised with. The Central Government had taken various steps to streamline the functioning of the Council and to bring transparency in the affairs of the Council. However, the Council had been stalling all such initiatives of the Central Government. Many Members of the Council are continuing in the Council long after their tenure is completed. Further, there had been many charges of serious misconduct against the President of the Council, who continued to be a Member in the Council even after the end of his tenure as the election to elect the new incumbent could not be completed in time.

As Parliament was not in session and immediate action was required to be taken, the President promulgated the Homoeopathy Central Council (Amendment) Ordinance, 2018 on 8 May 2018.

The Government hence proposed to introduce the Homoeopathy Central Council (Amendment) Bill, 2018, to replace the Homoeopathy Central Council (Amendment) Ordinance, 2018.

Highlights of the Bill:

To give effect to the proposed amendments, the Amending Bill *inserted* new Section 3A in the parent Act empowering the Central



Government to supersede Central Council and to constitute a Board of Governors. The provisions in this regard are:-

- The Central Government shall, by notification in the Official Gazette, constitute a Board of Governors which shall consist of not more than seven persons as its members, who shall be persons of eminence and of unimpeachable integrity in the fields of Homoeopathy and Homoeopathy education, and eminent administrators, and who may be either nominated member or members, ex officio, to be appointed by the Central Government, one of whom shall be selected by the Central Government as the Chairperson of the Board of Governors.
- The Chairperson and the other members, other than the members, ex officio, shall be entitled to such sitting fee and travelling and other allowances as may be determined by the Central Government.
- Further that the Board of Governors is to meet at such time and such place and shall observe such rules of procedure in regard to the transaction of business at its meetings as is applicable to the Central Council.
- Two-third of the members of the Board of Governors shall constitute the quorum of its meetings.

- A member having any financial or other interest in any matter coming before the Board of Governors for decision, shall disclose his interest in the matter before he may, if allowed by the Board of Governors, participate in such proceedings.
- The Chairperson and other members of the Board of Governors shall hold office during the pleasure of the Central Government.
- As per the newly *inserted* Section 3B, it has been provided that provisions of the Act shall be construed as if for the words "*Central Council*", the words "*Board of Governors*" be substituted.

Also, that the Board of Governors shall exercise the powers and discharge the functions of the Central Council under the Act.

- In the newly inserted Section 3C power of Central Government to give directions had been laid down.

The amending legislation met with broad consensus among Members from various sections of the Houses of Parliament.

The Bill was passed by Lok Sabha on 30 July 2018 and by Rajya Sabha on 9 August 2018. The Amending legislation as passed by both Houses of Parliament was assented to by the President of India on 13 August 2018.

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