



## SPECIAL ISSUE: Women and Parliament

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63<sup>rd</sup> COMMONWEALTH PARLIAMENTARY CONFERENCE  
DHAKA, BANGLADESH  
1 - 8 NOVEMBER 2017 (inclusive of arrival and departure dates)

For further information visit [www.cpahq.org/cpahq/cpc2017](http://www.cpahq.org/cpahq/cpc2017)



- One of the largest annual gatherings of Commonwealth Parliamentarians.
- Hosted by the CPA Bangladesh Branch and the Parliament of Bangladesh.
- Over 500 Parliamentarians, parliamentary staff and decision makers from across the Commonwealth for this unique conference and networking opportunity.
- CPA's global membership addressing the critical issues facing today's modern parliaments and legislatures.
- Benefit from professional development, supportive learning and the sharing of best practice with colleagues from Commonwealth Parliaments together with the participation of leading international organisations.

Commonwealth Parliamentary Association (CPA)  
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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 at 30 May 2017

### 2017

#### June

- |               |  |
|---------------|--|
| 7 to 9 June   | CPA Post-Election Seminar for the Turks and Caicos House of Assembly – Turks and Caicos  |
| 16 to 24 June | 42 <sup>nd</sup> CPA Regional Conference for the Caribbean, Americas and Atlantic Region – Basseterre, St Kitts  |
| 21 June       | CPA Regional Hot Topic Forum for the Caribbean, Americas and Atlantic Region 'Seeking to Increase Women's Political Participation' Part Two – Basseterre, St Kitts |

#### July

- |               |   |
|---------------|---|
| 1 to 3 July   | CPA Post-Election Seminar for the Parliament of Tanzania - Dodoma, Tanzania           |
| 13 to 14 July | Public Accounts Committees and National Crises Study Group – British Colombia, Canada |
| 16 to 22 July | 55 <sup>th</sup> CPA Canadian Regional Conference - Winnipeg, Manitoba, Canada        |

#### August

- |               |   |
|---------------|---|
| 2 to 3 August | CPA Post-Election Seminar for the Legislative Assembly of the Cayman Islands – Cayman Islands |
|---------------|---|

#### October

- |                  |  |
|------------------|--|
| 8 to 12 October  | 9 <sup>th</sup> Commonwealth Youth Parliament – British Virgin Islands |
| 15 to 21 October | Canadian Parliamentary Seminar - Ottawa, Canada                        |

#### November

- |                 |  |
|-----------------|--|
| 1 to 8 November | 63 <sup>rd</sup> Commonwealth Parliamentary Conference – Dhaka, Bangladesh |
|-----------------|--|

#### December

- |                   |   |
|-------------------|---|
| 11 to 14 December | Annual Session of the Parliamentary Conference on the WTO – Buenos Aires, Argentina |
|-------------------|---|

The publication of a Calendar of Commonwealth Parliamentary Association (CPA) events is a service intended to foster the exchange of events and activities between Regions and Branches and the encouragement of new ideas and participation. Further information may be obtained from the Branches concerned or the CPA Secretariat. Branch Secretaries are requested to send notice of the main CPA events and conferences to [hq.sec@cpahq.org](mailto: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](http://www.cpahq.org) or by emailing [hq.sec@cpahq.org](mailto:hq.sec@cpahq.org).





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International Women's Day  
2017, young women take  
the seats of Members of the  
Canadian Parliament as part of  
'*Daughters of the Vote*' - Equal  
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# PEACE-BUILDING AND COMBATTING GLOBAL INEQUALITIES IN THE COMMONWEALTH

## The Editor's Note

In the difficult times that the global community is facing today, a renewed focus on peace-building and combatting global inequalities is of the greatest importance across the Commonwealth.

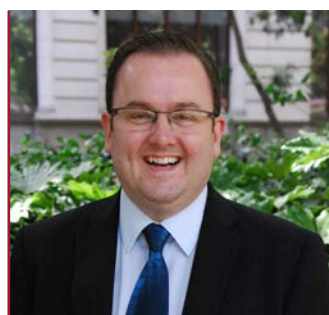
The 2017 Commonwealth theme of 'A Peace-building Commonwealth' gives Commonwealth Parliaments and Parliamentarians the opportunity to promote international peace and security, sustainable economic growth and development and the rule of law which are all essential to the progress and prosperity of the Commonwealth and beyond. The Commonwealth Parliamentary Association (CPA) is taking positive steps in this important work through its membership, outreach and programmes work.

This issue of *The Parliamentarian* features the wide range of celebrations and activities that the Commonwealth Parliamentary Association's Regions and Branches as well as the CPA Headquarters Secretariat undertook for Commonwealth Day 2017, all united by the common theme of 'A Peace-building Commonwealth'. The CPA Branches featured include: **Zambia; St Helena; Fiji; Jamaica; Scotland; Guyana; Trinidad and Tobago; Malaysia; Canada Federal; Solomon Islands; Malta; Cayman Islands; Nevis; Kenya; Balochistan; Falkland Islands; Victoria, Australia.**

The Commonwealth Day events in London, UK were attended by the **Chairperson of the CPA Executive Committee, Hon. Dr Shirin Sharmin Chaudhury, MP** (Bangladesh) who writes in this issue of *The Parliamentarian* about addressing global inequalities, which was the main theme of the 136<sup>th</sup> Assembly of the Inter-Parliamentary Union, hosted recently by the Parliament of Bangladesh.

The **Secretary-General of the Commonwealth Parliamentary Association, Mr Akbar Khan** shares his views on this year's theme of 'A Peace-Building Commonwealth' following his attendance at the Commonwealth Day 2017 Observance in Westminster Abbey.

'The Connected Commonwealth: A Patchwork of Peace' is examined by **Rt Hon. Lord Howell of Guildford** (United Kingdom), who is the Chairman of the House of Lords International Relations Committee and President of the Royal Commonwealth Society.



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

Two new regular columnists are welcomed to *The Parliamentarian* for this issue. **Hon. Angelo Farrugia MP, Chairperson of the CPA Small Branches** and Speaker of the House of Representatives of the Parliament of Malta writes his first View article for the publication and shares his vision for a new strategic direction for CPA Small Branches.

**Hon. Dr Dato' Noraini Ahmad, MP, Chairperson of the Commonwealth Women Parliamentarians (CWP)** and Member of the Parliament of Malaysia contributes two articles to this issue. The CWP Chairperson's View for *The Parliamentarian* focuses on job creation and growth and provides some solutions to inequality with a focus on gender.

This issue also features a speech given by Hon. Dr Dato' Noraini Ahmad, MP in her role as Chair of the Malaysia External Trade Development Corporation (MATRADE) and representing the CPA Headquarters Secretariat on the subject of 'Trade as a vehicle of social progress: The Gender Perspective' which was given at the annual session of the Parliamentary Conference on the WTO last year.

This special issue of *The Parliamentarian* features a number of articles by Commonwealth Women Parliamentarians (CWP) on Women and Parliament. **Hon. Santi Bai Hanoomanjee, GCSK**, the Speaker of the National Assembly of Mauritius, writes about establishing a parliamentary gender caucus in Mauritius and its launch attended by the CPA Secretary-General.

This issue features the presentation given by **Dr Roberta Blackman-Woods MP** (United Kingdom) on 'Legislating effectively to protect Women from Political Violence' at the 62<sup>nd</sup> Commonwealth Parliamentary Conference. She focuses on the role of Parliament in promoting good practice in legislating to protect women from political violence and working with Parliaments across the Commonwealth to raise awareness of women's issues.

**Hon. Linda Reid MLA** (British Columbia, Canada) celebrates the achievements of women in Canada as British Columbia marks the 100<sup>th</sup> anniversary of women and the vote.



**Above: Her Majesty Queen Elizabeth II, Head of the Commonwealth and Patron of the Commonwealth Parliamentary Association (CPA) accompanied by HRH The Duke of Edinburgh attends the Commonwealth Day 2017 Observance at Westminster Abbey.**

**Hon. Angela Thoko Didiza, MP** (South Africa) writes about increasing women's participation and representation in Parliament and **Joyce Watson AM** (Wales) contributes an article on 'Promoting Women and Economic Empowerment'. This was also the theme of the recent CWP British Islands and Mediterranean Regional Conference held at the Welsh Assembly which is reported on in this issue.

This issue of *The Parliamentarian* also features reports of Commonwealth Women Parliamentarians (CWP) recent activities including the CWP South-East Asia Regional Seminar in Malaysia on 'Closing the gender gap and promoting equality in social, economic and political issues'; the CWP three year strategy planning session held at Wilton Park; and CWP activities to celebrate International Women's Day 2017 on the theme of 'Be Bold for Change'.

Members of the CPA report on Commonwealth Parliamentary Association activities and programmes. **Glen Elmes MP** (Queensland, Australia) reports on his experience of delivering parliamentary media training to Members of the National Assembly of Mauritius as part of a CPA Technical Assistance Programme and its impact on accelerating the democratic process.

This issue also features a report on the 2017 OECD Global Anti-Corruption and Integrity Forum that was attended by **Hon. Len Isleifson**

**MLA** (Manitoba, Canada); **Hon. Sandra Nelson MLA** (Northern Territory, Australia); and **Hon. Alando Terrelonge MP** (Jamaica) through CPA Headquarters Secretariat funding.

This issue features a report of the second lecture in the Commonwealth Parliamentary Association's international lecture series and the first for the CPA Pacific Region, with the keynote address given by former Commonwealth Secretary-General, **Sir Don McKinnon ONZ, GCMG**. The lecture, hosted by the CPA New Zealand Branch and the New Zealand Parliament on behalf of the CPA Pacific Region, reflected on 'silver linings in dark clouds hanging over democracy'.

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

This issue also contains an obituary about **Rabi Ray**, the Speaker of the Ninth Lok Sabha in the India Parliament and an article reporting on the rare examples of Private Member's Bills in the India Parliament relating to finance and the legislative developments and behaviour that it demonstrates.

We look forward to hearing your feedback and comments on this issue of *The Parliamentarian*, on the issues of concern to Parliamentarians across the Commonwealth and to receive your future contributions to the journal.

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





# ADDRESSING GLOBAL INEQUALITIES

## View from the Chairperson of the CPA Executive Committee

**Speech by the Chairperson of the CPA Executive Committee, Hon. Dr Shirin Sharmin Chaudhury MP, Speaker of the Parliament of Bangladesh at the 136<sup>th</sup> General Assembly of the Inter-Parliamentary Union (IPU) held in Dhaka, Bangladesh.**

Distinguished delegates. It is a very special pleasure for me as the elected Chairperson of the Commonwealth Parliamentary Association (CPA) to represent the Commonwealth Parliamentary Association (CPA) in this august gathering of Members of Parliaments from all around the globe.

The Commonwealth Parliamentary Association (CPA) is a unique platform of national as well as state legislatures consisting of 181 member Parliaments across nine regions of the Commonwealth. The CPA plays an instrumental role in bringing the voices of the people of the Commonwealth, 2.4 billion, to the centre of discourse, of democracy and development. The Commonwealth, a family of nations of 52 countries, stands the test of time in upholding the cherished values of democracy, rule of law, human rights and sustainable development.

The CPA works not only with national parliaments but also reaches out to hear and include the voices of the people at the grassroots level and to bring in the convergence of diverse perspectives. The CPA celebrates diversity – the strength and beauty of the Commonwealth. It allows all members an equal voice in a participatory and democratic manner ensuring greater inclusiveness.

Founded in 1911, the CPA is committed to the principles of parliamentary democracy and good governance. The CPA aims to



**Hon. Dr Shirin Sharmin Chaudhury, MP, Chairperson of the CPA Executive Committee and Speaker of the Bangladesh Parliament.**

enhance knowledge and understanding of democratic governance and to build an informed parliamentary community that is able to deepen the cooperation among legislatures. There are several overlapping thematic areas of common focus between the Inter-Parliamentary Union (IPU) and the CPA including their membership. The CPA wants to promote greater cooperation and collaboration to multiply our efforts and avoid duplication. The CPA works to empower youth Parliamentarians and the CPA Bangladesh Branch launched the CPA Youth Roadshows on Parliamentary Democracy to attract youth into politics and leadership and it has reached over eight thousand youths so far in different regions across the Commonwealth.

The Commonwealth Parliamentary Association is committed to promoting gender equality. The CPA is administering a series of programmes like the CPA Lecture Series, courses on parliamentary democracy offered to Parliamentarians in universities in South Africa and Canada and many more such programmes.

Distinguished delegates. We meet at a time of political uncertainty globally and a growing populism that is questioning the very foundation of our democratic institutions and our values of inclusion and diversity. The need for Parliamentarians to come together is ever greater and urgent today to reaffirm in solidarity our shared values of tolerance, inclusivity, peace and democracy. Let us embrace this opportune moment and turn it to our advantage that the voices of the people from around the globe resonate and dominate the discourse of democracy. It is only through our collective efforts that we can eliminate all forms of inequality and violence and give voice to the vulnerable who are suffering discrimination and oppression. Let it be our resolve to ensure every individual has a life with dignity and that we reach the goals that we set up for ourselves, which may seem ambitious. There may be mountains to climb and rivers to forge but they are achievable.

I will conclude by citing Robert A. Needham, author of 'Collaborative Commonwealth', where he uses a concept of water. The Commonwealth believes that any great ocean, river or stream begins with one drop. Drops come in all sizes, shapes and forms just like people. Each unique drop was created for a purpose and so were you. This purpose will change throughout the life of a drop, which is called emergence. Like you, water can be used over and over again to cause its environment to flourish, change evolve and renew. The metaphor of water is used to show how each individual aligns with others to form streams. Streams then merge to become rivers which have power and movements. These rivers merge to create oceans of great potential to accomplish anything they set their thoughts to and this is what the Commonwealth upholds. Thank you distinguished delegates.



## Commonwealth Parliamentary Association Chairperson calls for all Parliamentarians to work together to address global inequalities as she addresses MPs at 136<sup>th</sup> Assembly of the Inter-Parliamentary Union in Bangladesh

The Chairperson of the Commonwealth Parliamentary Association (CPA) Executive Committee, Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of the Parliament of Bangladesh was given the rare privilege of addressing the 136<sup>th</sup> Assembly of the Inter-Parliamentary Union (IPU) when it took place in Dhaka, Bangladesh from 1-5 April 2017.

The CPA Chairperson spoke about the work of the Commonwealth Parliamentary Association (CPA) in parliamentary strengthening across Commonwealth Parliaments and beyond and how Parliamentarians across the world need to work together to end extreme inequalities.

Over the five-day Assembly, IPU Members has the opportunity to find out more about the work of the Commonwealth Parliamentary Association (CPA) and the International CPA Secretariat through displays of programmes on a large screen and through booklets, leaflets and information in the 'CPA corner',



which was established by the CPA Chairperson to showcase the work of the CPA to a wider membership at the IPU.

During the IPU Assembly, Members identified parliamentary measures to ensure the economy benefits all, strengthens protection of workers' rights including the right to a decent living, and improves international co-operation. Parliamentarians also pledged to work towards the implementation of the UN Sustainable Development Goals (SDGs), particularly Goal 10 on redressing inequalities within and among countries.

IPU Members adopted a comprehensive resolution on guaranteeing women access to financial mechanisms. The resolution recommended that parliaments develop specific methods to facilitate the financial inclusion of poor women, ensuring they have access to credit, as well as to financial and business training.

Over 1,200 people attended the IPU 136<sup>th</sup> Assembly in Dhaka, jointly organised with the Bangladesh Parliament. Amongst them were 607 MPs from 126 countries, 46 Speakers of Parliament, 36 Deputy Speakers of Parliament and 191 women MPs.



**CPA video:** To view the CPA Chairperson's address to MPs at 136<sup>th</sup> Assembly of the Inter-Parliamentary Union in Bangladesh please visit: [www.cpahq.org/cpahq/youtube](http://www.cpahq.org/cpahq/youtube)





# JOB CREATION AND GROWTH: SOLUTIONS TO INEQUALITY

## View from the Commonwealth Women Parliamentarians (CWP) Chairperson

It gives me great pleasure, as the newly elected Chair of the Commonwealth Women Parliamentarians, to contribute my first View article to this issue of *The Parliamentarian*.

Poverty leads to the breakdown of social structures. Unemployment disrupts the momentum of economic empowerment. Inequality denies future generations. I wish to begin this article with these three important social ills: poverty; unemployment; inequality. Poverty is not hereditary, and yet for decades it has been growing in every society. Unemployment, however, is the result of poverty when and where it is not addressed. Families that are poor could not provide the necessities for their children to move towards a better future; alas unemployment and poverty can be a vicious cycle in the family.

Inequality, meanwhile, is the result of history and tradition in some parts of the world and a stigma in others. Inequality is a setback and one of the factors that contributes to poverty and unemployment. This cycle cannot be stopped if fundamental issues such as social safety nets, job creation, education, protection of the rights and needs of society are not equally bestowed upon every citizen of all nations.

The aftermath of poverty, unemployment and inequality requires the government to move forward with social policies that either assist or provide their people with monetary, subsidy assistance or services that may elevate the standards of living and livelihood of those affected. Global unemployment rose following the economic crisis from 1997 to 1998 and further escalated between 2008 and 2009. Unemployment has increased three fold in the last twenty years and the situation has worsened as a result of oil depletion and current oil market values.

In some parts of the world, the levels of unemployment have sparked demonstrations and protest. Unemployment and poverty have pushed societies beyond what can be considered healthy and resilient. These conditions therein have had a grave impact on societies as a whole and in some cases have led to crime, hatred and dysfunction in society. Inequality endangers democratic institutions, limits economic mobility and, as recent research has shown, can be damaging to economic growth. Inequality too has been the major factor in the rise of union movements, special interest groups that fight for equal rights, feminism and in some cases extremism. Inequality restricts the freedom of people to choose, to live, to enjoy the benefits provided, to achieve the best in life and to be able to live harmoniously. To move forward in a challenging and globalized world, governments need to review, revamp and reinforce the basic needs of the people as a remedy for the ills created by these specters.



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

The successful modern economy is based on citizens earning the income they need to survive through the work they do. It is those in the labour force who produce the goods and services which comprise the modern economy. These workers also generate the majority of taxes that allow governments to play their economic role, including providing income to many of those who don't work. The importance of jobs to a successful modern economy can be seen in the lengths that all governments go to secure and protect them, and the promises politicians make that, if elected, they will implement policies which will create more (and better) jobs. Therefore, politicians and leaders of nations are the key to better opportunities for their people with the right policies and implementation. Never leave your people to starve, while we enjoy the benefits of the economy.

A roadmap for the future of any country would be dependent on ensuring a sustainable and robust economy. This involves working on competitiveness, achieving high-income levels, innovation in economic performance and making a bold transformation through economic reforms that modernizes an ongoing economic model for the future. Progress requires the government and the people to be more innovative in creating methods and opportunities for wider economic participation. This could be done by engaging and developing a more consultative approach especially with stakeholders. A powerful and dynamic economic approach will steer a better strategy to sustain economic growth.

Job creation hinges on policies that provide the right hiring incentives, create public jobs through investing in the nation's crumbling infrastructure, support the growth of small and medium enterprises, and tap into consumption outside our borders. Further, we must explore innovative approaches to stemming long-term unemployment by examining the merits of a relocation subsidy. Other proposed measures, like extending unemployment benefits and raising the minimum wage, are also important and viable measures to reduce inequality. But they won't have the same long-term impact as stimulating the creation of good jobs. One must first have a job to benefit from a minimum wage. And raising the minimum wage will primarily impact workers in low-paying service sector jobs where the lack of skill development impedes upward mobility. According to anyone, unemployment benefits aren't the preferred long-term solution, not to those on the right or the left, and not to the unemployed workers who need them.

In fact, creating high-paying jobs is one of the few policy objectives that can unite the right and left. It will inarguably address one of the

left's rallying cries, namely income inequality, but also speak to the right's concern with waning economic growth. Putting more people in good jobs will increase aggregate demand for goods and services, boost the housing market, and generate more dynamic and sustainable economic growth.

A nation's future rests on sustained economic consistency, and it is essential for the nation to create high-wage jobs, better educated children, high quality investment and raising the sights of low-income families to extricate them out of poverty. Equal economic opportunities and responsibilities will provide a forefront to a high income economy and thereby any nation would be able to stand shoulder to shoulder with the rest of the developed economic powers of the world.

Malaysia has embarked on a Government Transformation Programme (GTP) and the National Key Result Areas (NKRAs) have a proven track record on economic success in which the government has shaped and re-shaped the principle of high-income in order to achieve and synergize the economy so that the people could benefit from improved higher paying jobs and a better quality of life.

A nations' success should not marginalize their women's economic participation. Women today are more vibrant, dynamic and vital to the existence of a successful society and an inspiration to further accomplishments; and women do promise a better future for this planet. Women's economic empowerment today can be sourced through or grown out of the interests in political movement and women in politics as a whole. The presence of women in economic and political movements reveal something about the health, empowerment, peace, security, integrity and capacity of the political system.

Women's empowerment is significant to their political and economic participation and the goal is to ensure that women will contribute to a stable society, which in turn will generate a fully developed nation. More encouragement should be given than is presently available, in that women must be ensured full participation in all levels of decision making in conflict prevention, conflict resolution, peace-building and the protection of women and girls in conflict and post-conflict situations. This includes, but is not limited to, situations of sexual violence and flesh trade or prostitution. Perpetrators of violence against women should be held fully accountable. For Malaysia, it is hoped that the nation will be recognised as a developed nation as well as a High-Income Nation by 2020.

Every country should clearly encourage more women to be in the workforce, be it in the private or in the public sector. All the more important to the government is that women today play pivotal roles as decision-makers in higher economic positions. Women too are better able to adapt to the changes in economic perspectives and should be able to develop their careers with the full support of their male counterparts as well as the support of the government. Even when the workforce is made up of a



greater number of Muslim women, they are leveraging well for economic empowerment for all women despite the fact remaining that Muslim women are facing difficulties in some other Muslim countries. Women should be seen to play a greater and more significant role in nation building, whilst at the same time upholding religious beliefs and values accordingly.

The commitment from the government has always been regarded as the primary feature in economic empowerment for women, because they act as a stimulus for the economy to strive, thereby providing more women with integrity, security and peace. The importance of economic empowerment was highlighted by the Prime Minister Najib Abdul Razak of Malaysia in his speech during the 9<sup>th</sup> World Islamic Economic Forum (WIEF) in London.

The government, in addressing issues to increase women's standards of living, thus worked through the following enablers; standardize the definition of low-income groups to ensure the right people are targeted, implement quick, high impact initiatives and lay the groundwork for longer term actions, and ensure enablers are in place to maintain poverty eradication programmes that are both effective and efficient.

Once the economic potential of women is realised, their economic performance becomes part of the society and thus increases further throughout the years. There should be forms of incentive to further expand the effects of having women garnering greater access to jobs and the economic lives of the nation.

These would bring greater economic and political stability, fewer instances of unrest and military conflicts, more food on the table, healthier children, greater educational opportunities for children and adults, especially for women and girls. By harnessing the economic potential of women, that nation's goodwill and opportunity is enhanced by enabling the female economic powerhouse in the nation.

In Goetz's words, *"excluding women from post-conflict recovery would be like trying to tie your shoes with one hand."* Conclusively, it can be stated that the economy for security, integrity and peace will flourish when women are included in the procedural process of building a nation.





# A NEW STRATEGIC DIRECTION FOR CPA SMALL BRANCHES

## View from the CPA Small Branches Chairperson

As the newly elected Chairperson of the Small Branches of the Commonwealth Parliamentary Association (CPA), it is indeed an honour for me to write this article for *The Parliamentarian*.

In December 2016, during the 35<sup>th</sup> CPA Small Branches Conference, I was unanimously elected to the role of Small Branches Chairperson with the specific aim of strengthening the network within the CPA Small Branches and representing the needs of their jurisdictions on the CPA Executive Committee. Of the over 180 Branches of the CPA, 43 are classified as Small Branches, which are defined as jurisdictions with a population below 500,000 people. In my new role, I intend to be the voice of the Small Branches within the wider Association and to discuss strategies to build capacities within Small Branches in all CPA programmes and initiatives.

The Commonwealth was the first organisation to recognise the unique challenges faced by small countries and raise awareness about their issues internationally. Coming from a Small Branch myself, I firmly believe that Small Branches have an important role to play and contribute to the diversity of the organisation and its global reach. A country is more likely to achieve sustainable development if it inspires confidence, and it can only inspire confidence if it is founded on a strong democratic culture. On the other hand, Small Branches may find it more costly to establish and maintain democratic institutions.

In my first speech as Small Branches Chairperson, I spoke about

**“Of the over 180 Branches of the CPA, 43 are classified as Small Branches, which are defined as jurisdictions with a population below 500,000 people. In my new role, I intend to be the voice of the Small Branches within the wider Association and to discuss strategies to build capacities within Small Branches in all CPA programmes and initiatives.”**



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

the pressing need of small legislations within the Commonwealth to come together in order to address common difficulties and strengths, and to share the experiences of their parliaments or legislative assemblies. In January and February this year, I communicated with all the Small Branches seeking their immediate feedback on how to produce a strong strategic plan that addresses the problems that Small Branches are facing because of their smallness. This plan would aim to serve as both a strategic communication and a planning mechanism to enable it to act as a powerful tool for Small Branches.

Following the initial response from several Small Branches, I convened two webinars, held in March and April, in which together with representatives of other Small Branches, I discussed in further detail the scope behind such a strategic plan and my intention to present the plan to the next Executive Committee

meeting, which was subsequently held in April in Darwin, Australia.

Since the role of the Small Branches Chairperson was officially recognised in the CPA Constitution and the elected Small Branches Chairperson was added to the CPA Executive Committee and Coordinating Committee, I had the opportunity to participate in the meeting of the Coordinating Committee which was held on 25 April, prior to the meeting of the Executive Committee held between 25 and 27 April in Darwin, which I also attended. During the Executive Committee meeting, I explained in detail the aim behind the strategic plan for Small Branches, which is intended to span the next three years. Since I had already submitted this plan to the CPA Headquarters Secretariat, I gave an overview of what the Small Branches had in mind, particularly with regard to the feedback I had received and the discussions held during the webinars. In fact I also presented the Committee with the transcript of these webinars.

During my intervention I emphasised that the Small Branches strategic plan aims to communicate the mission and work of the network of Small Branches to its own members and to the wider Association. Such a strategic plan should provide a framework for Small Branches to identify their achievements, strategically assess the challenges they encounter, build alliances, and undertake actions across the CPA and beyond.

A survey of members attending the 35<sup>th</sup> Small Branches Conference in December 2016 highlighted various areas of thematic work for programmes for Small Branches. Amongst them are climate

change and environmental issues, sustainable economic growth, access to financial and technical resources, and the desire to maintain the identity of Small Branches. With this in mind, during the Executive Committee meeting I stated that in view of the overall objective of Small Branches of the CPA to provide a platform for the development in efficacy and flexibility of small legislations, there are certain areas which need to be addressed. Of paramount importance is capacity building, where activities need to be planned to develop the resources of Small Branches through training sessions and inter-parliamentary exchanges.

Other areas where Small Branches need to work together include the engagement of young people in the political process and training for newly elected Members, as well as the sharing of experiences, information and learning about challenges facing small legislatures. Small Branches should also seek to make use of online resources and forums for communication. In order to measure the Small Branches' success in achieving these and other objectives, there should be a monitoring process.

The Executive Committee meeting came up with the suggestion that in order to address these objectives, there should be a focal group made up of representatives from Small Branches which would revisit and refine the proposed strategic plan. The focal group would also be entrusted to look again at the classification currently being used to identify Small Branches, that is Branches with a population of 500,000 and less. As a first step towards this end, it is essential that the Small Branches clearly identify their achievements and also strategically assess the challenges that they encounter as small jurisdictions.

At the Executive Committee meeting in Darwin, funding was approved for the programme related to the focal group that will involve one representative of each CPA Region where there are Small Branches, that is seven of the nine CPA Regions. The Executive Committee meeting also approved the funding of a programme involving a thematic workshop to be held this year to discuss the areas of interest identified by the Members from Small Branches attending the 35<sup>th</sup> Small Branches Conference. As Small Branches Chairperson, I look forward to holding a strategy meeting which would bring together Small Branches Members in an effort to agree on the objectives of the strategic plan, the strategies and areas of work to achieve these objectives, strengthening the network within the Small Branches, share experiences from the seven regions represented in this forum to assess bridges and barriers to success and also to agree on a theme for the Small Branches thematic workshop programme.



**Above: The Parliament of Malta is located in Valletta, Malta. The building was constructed between 2011 and 2015 to designs by Renzo Piano as part of the City Gate Project, which also included building a new City Gate and converting the Royal Opera House into an open-air theatre.**

It is my belief that the Small Branches strategic plan should complement the CPA holistic strategic plan 2017-2018/9, and it is therefore being proposed that they both run in parallel. This would enable the Small Branches to develop their own objectives considering the overall strategic plan for the Association. It would also enhance the role of the Small Branches within the CPA and ensure that they are actively and closely linked with the CPA in each Region and Branch. In my opinion, where possible, Small Branches in each Region should have a budget allocation to enable them to meet and undertake activities aimed at developing and increasing their capacity in knowledge and experience.

As Small Branches Chairperson, I intend to work closely with the CPA Headquarters Secretariat in order to be able to report on the success and/or shortcomings of the Small Branches programme work during the Mid-year Executive Committee Meeting each year and at the Executive Committee Meeting ahead of the CPA Annual Commonwealth Parliamentary Conference.

This is my first contribution to *The Parliamentarian* and as Chairperson of the Small Branches I would like to take the opportunity to thank the CPA Headquarters Secretariat for its continuous support and also every Small Branch, in particular those with whom I found active collaboration in order to draft the Small Branches strategic plan. I hope that we will have the opportunity to meet during future webinars which I intend to convene as this would strengthen cooperation and networking between Branches. It is my intention that through these endeavours Small Branches will not only have a better voice within the CPA, but also contribute actively towards a more effective Association.





# A PEACE-BUILDING COMMONWEALTH

## View from the 7<sup>th</sup> CPA Secretary-General

It is notable that the 2017 Commonwealth theme is 'A Peace-building Commonwealth'. This is a natural follow-on from last year's theme of 'An Inclusive Commonwealth', and reaffirms the Commonwealth Charter's principle that "international peace and security, sustainable economic growth and development and the rule of law are essential to the progress and prosperity of all."

In speaking about 'A Peace-building Commonwealth', the Head of the Commonwealth and Patron of the Commonwealth Parliamentary Association, Her Majesty Queen Elizabeth II, stated "that the cornerstones on which peace are founded are, quite simply, respect and understanding for one another. Working together, we build peace by defending the dignity of every individual and community. By upholding justice and the rule of law, and by striving for societies that are fair and offer opportunities for all, we overcome division and find reconciliation, so that the benefits of progress and prosperity may be multiplied and shared."

The sentiments expressed by Her Majesty The Queen are pertinent in my view to the importance of the Commonwealth values of promoting tolerance, respect and understanding that underpin the work of the Commonwealth Parliamentary Association.

Our Commonwealth diversity is a source of our strength. This in turn is underpinned by the common values set out in the 2013 Commonwealth Charter which serves as the glue that holds us together. Our shared values include respect for democracy, rule of law and protection of human rights which all contribute to a peaceful and stable society.

I recently addressed the International Parliamentary Conference (IPC) on National Security and Cybersecurity in the United Kingdom and highlighted the need for international cooperation beyond national boundaries. The significance of international networks, including the Commonwealth Parliamentary Association and others, in addressing

**"The significance of international networks, including the Commonwealth Parliamentary Association and others, in addressing national security issues and the role that Parliamentarians have in maintaining national and international security is of the greatest importance."**



**Mr Akbar Khan**  
Secretary-General of  
the Commonwealth  
Parliamentary Association

national security issues and the role that Parliamentarians have in maintaining national and international security is of the greatest importance. Of particular note in the context of national security is that all Commonwealth Heads of Government have stated their condemnation of all acts of terrorism in whatever form and re-affirmed their commitment to taking concerted action to eradicate terrorism.

Sometimes too much diversity can threaten and undermine social cohesion leading to conflict thereby engaging matters of national security. Violent extremism is an ever growing threat in many Commonwealth countries and in the wider world and it is an area where the sharing of information and co-operation is essential and the Commonwealth is playing a vital role in this space.

Since 2015 with the financial assistance from the UK and Australian governments, a new Commonwealth unit has been established to counter extremism that will increase co-operation with

countries across the world to share best practice and identify new approaches to countering poisonous ideologies. These international frameworks and initiatives in the field of national security recognise the immense value that the Commonwealth can bring in building international partnerships and agreement. They have legitimacy because of their broad international agreement from a diverse global grouping of states spanning every continent of the world.

The Commonwealth has been able to reach agreement on such international treaties and frameworks in support of a rules based international order because:

- It is a values based organisation and its contributions are not seen as politically motivated by any particular group but focused on capacity building and good governance;
  - It reaches decisions by 'consensus' – this means that the minority does not suffer the tyranny of the majority – small states are given an equal voice as the largest in full equality;
  - The diverse states of the Commonwealth represent the north-south co-operation which brings a global credibility to its instruments. The Commonwealth can be an incubator of ideas for the rest of the world;
  - The Commonwealth effect – meaning our shared values, legal systems, institutions and language gives us a great advantage to reach international agreements and partnerships;
  - Commonwealth states also belong to several other international and regional groupings (EU, La Francophonie, G77, ASEAN, Asia Pacific Forum, Pacific Island Forum, UN, CARICOM to mention but a few). These relationships provide additional opportunities to build complementary international partnerships and agreements.
- Commonwealth Parliamentarians already play a huge role in peace



Image courtesy: Commonwealth Secretariat

building within our societies. Many international frameworks that have been undertaken within the intergovernmental Commonwealth are already being implemented by Commonwealth Parliamentarians at the Ministerial level, so there is already a high degree of Commonwealth Parliamentary activity.

Furthermore, at a more informal international level Commonwealth Parliamentarians and Parliaments can strengthen peacebuilding in our societies by engaging with fellow Parliamentarians from other countries through the CPA and undertaking other activities such as participation in events hosted by the CPA to share and exchange ideas and best practice. At the national level, promoting good governance and domestic accountability is key to the role of Parliaments together with ensuring that the right balance is struck between national security and individual freedoms to build a non-violent society.

It is true to say that sport can be a mechanism for bringing together communities and promoting a peaceful society and the Commonwealth Games is a strong demonstration of this. The level playing fields of sport can be a tool for building strong and peaceful communities and supporting journeys of reconciliation.

On Commonwealth Day this year, I was privileged to represent the Commonwealth Parliamentary Association at the start of the Queen's Baton Relay in front of Buckingham Palace and witness the start of the relay that will travel across the 52 countries of the Commonwealth to the opening of the Commonwealth Games Gold Coast 2018 in Australia next year.

The education of young people and promoting the Commonwealth values and diversity amongst our youth are also key to the building of peaceful communities. With approximately 60% of the Commonwealth's 2.4 billion population currently under the age of 30, the engagement of young people is a key factor in the fostering of 'A Peace-building Commonwealth'.

The CPA is taking forward this invaluable work through its public outreach programmes because a peaceful and democratic society demands

**Above: On Commonwealth Day 2017, the Queen's Baton began its long journey to the Commonwealth Games Gold Coast 2018. Her Majesty Queen Elizabeth II started the Gold Coast 2018 Queen's Baton Relay at Buckingham Palace as part of the Commonwealth Day celebrations. Accompanied by HRH The Duke of Edinburgh and HRH The Earl of Wessex, HM The Queen placed Her message to the Commonwealth and its athletes inside the distinctive Baton before handing it to Australian cycling legend and Commonwealth and Olympic Games gold medalist, Anna Meares OAM to start the relay. The Queen's Baton will now travel through the entire Commonwealth for 388 days, covering 230,000 kilometres to its final destination, the Opening Ceremony of the Gold Coast 2018 Commonwealth Games (GC2018) on 4 April 2018.**

active and involved citizens of all ages participating to make our world a better place. I have been encouraged by the positive response and active interest from students as I meet them on the CPA Roadshows for Schools and Universities across the Commonwealth and by the active participation of young people in the CPA's annual Commonwealth Youth Parliament.

At the Commonwealth Day 2017 Observance in Westminster Abbey this year, we heard from Achaleke Christian Leke from Cameroon, the Commonwealth Young Person of the Year 2016 and a young peace activist and campaigner. He spoke movingly from a youth perspective on the theme of 'A Peace-building Commonwealth' and I encourage our Members to read his inspirational words published on page 121.

**Mr Akbar Khan**  
7<sup>th</sup> Secretary-General  
Commonwealth Parliamentary Association (CPA)





# The Commonwealth Parliamentary Association

## CPA Photo Gallery



Left: The Speaker of the House of Keys and Chairman of the CPA Isle of Man Executive Committee, Hon. Juan Watterson, SHK, welcomes the CPA Secretary-General, Mr Akbar Khan during a visit to the CPA Isle of Man Branch and Tynwald, the Island's Parliament.



Left: The CPA Isle of Man Branch has been instrumental in forging important bi-lateral relationships with other CPA Branches and Members of the Khyber Pakhtunkhwa Legislature in Pakistan were also visiting at the same time as the CPA Secretary-General.



Left: CPA Secretary-General Mr Akbar Khan met with Rt Hon. Baroness Joyce Anelay, United Kingdom Minister at the Foreign and Commonwealth Office to discuss parliamentary strengthening and the Commonwealth.

Below: Member of the Khyber Pakhtunkhwa Provincial Assembly in Pakistan, Inayatullah Khan, Senior Minister for Local Government and Rural Development (centre left) met with the CPA Secretary-General, Mr Akbar Khan at the CPA Headquarters Secretariat to discuss the CPA's Technical Assistance Programmes and parliamentary strengthening opportunities.



Above: During his visit to the Isle of Man, the CPA Secretary-General, alongside several Parliamentarians from the Isle of Man, delivered a series of CPA Roadshows in schools across the Island. Hon. Stephen Rodan, MLC, President of Tynwald is pictured speaking to children at Dhoon Primary School at a CPA Roadshow event.

Below: Filming takes place at the CPA Headquarters Secretariat for new CPA Masterclasses with Commonwealth Members of Parliament. Munokoa Poto Williams, MP from the New Zealand Parliament spoke about mentoring for Parliamentarians with a gender focus as the Vice-Chairperson of the Commonwealth Women Parliamentarians (CWP). CPA Masterclasses are available at [www.cpahq.org/cpahq/youtube](http://www.cpahq.org/cpahq/youtube).



Below: The CPA Secretary-General, Mr Akbar Khan and CPA Secretariat staff met the delegation from the Parliament of the Republic of Mozambique, Hon. Gania Aly Abdula Mussagy, MP, Chairperson of the CPA Mozambique Branch, Hon. Ana Antonia Dimitri, MP and Ms Elsa Maria Nhancale Botao to discuss the CPA's work programmes and technical assistance programmes for Commonwealth Parliaments.



Above: The CPA Headquarters Secretariat welcomed four interns from the Saskatchewan Legislative Internship Program in Regina, Saskatchewan, Canada who met with the CPA's Director of Programmes, Ms Meenakshi Dhar and Director of Finance and Administration, Mr Joe Omorodion to hear about the CPA's work in parliamentary strengthening across the Commonwealth.

Right: The CPA Expert Committee met in London, UK for Members representing all nine regions to discuss the status of the Commonwealth Parliamentary Association.



Left: CPA Secretary-General Mr Akbar Khan met with Hon. Abubacarr M. Tambadou, Attorney-General and Minister of Justice of The Gambia in London to discuss the work of the CPA in Commonwealth Parliaments.



Left: Hon. Vicki Dunne, MLA, CPA Treasurer and Deputy Speaker of the Legislative Assembly of the Australian Capital Territory met with the CPA Secretary-General, Mr Akbar Khan and CPA Secretariat staff ahead of the CPA Expert Committee meeting.

Right: The CPA Director of Programmes, Ms Meenakshi Dhar attended the Organisation for Economic Co-operation and Development (OECD) 5th Global Parliamentary Network in Paris, France attended by over 120 MPs from 40 different countries. Hon. Emilia Monjowa Lifaka MP, Deputy Speaker of the National Assembly of Cameroon and Vice-Chairperson of the CPA also attended the network.



Above: Hon. Lindiwe Maseko, MP, Chairperson of the CPA Africa Region Executive Committee gave the opening remarks at the 72nd CPA Africa Region Executive Committee Meeting, held in Dar es Salaam, Tanzania in March 2017. Members of the CPA Africa Executive Committee met to discuss the work of the CPA in the region and beyond.



Right: The CPA Secretary-General met with the Lord Speaker Tu'i Vakano of the Parliament of Tonga during a conference in London, UK.



Below: The CPA Secretary-General Mr Akbar Khan highlighted the need for international cooperation beyond national boundaries during a speech at the International Parliamentary Conference (IPC) on National Security and Cybersecurity in London, United Kingdom. The CPA Secretary-General emphasised the importance of international networks, including the Commonwealth Parliamentary Association, in addressing national security issues. The conference organised by the CPA UK Branch brings together Parliamentarians from around the world.





# The Commonwealth Parliamentary Association

## CPA Photo Gallery



Above: The CPA Headquarters Secretariat is funding 21 Commonwealth Parliamentarians to study on the inaugural CPA Fundamentals Programme on parliamentary practice and procedure delivered by the University of the Witwatersrand in South Africa in partnership with the CPA.



Above: 23 Commonwealth Parliamentarians funded by the Commonwealth Parliamentary Association Headquarters Secretariat on the inaugural CPA Fundamentals Programme for Small Branches with McGill University in Canada.



Left: Hon. Mian Tariq Mehmood, MPA from CPA Punjab, Pakistan visited the CPA Headquarters Secretariat and met with the CPA Secretary-General, Mr Akbar Khan. The Member of the Provincial Assembly of

Punjab in Pakistan is also the Regional Representative for the CPA Asia Region on the CPA's International Executive Committee and it was an opportunity for the CPA Secretary-General to update the Hon. Member on CPA programmes and parliamentary strengthening in the region.

Below: The importance of elections and their independent observation was highlighted at a CPA Learning and Development Lecture by renowned lawyer and election observer, Dame Audrey Glover DBE for CPA staff and guests. The event was also attended by the Commonwealth Deputy Secretary-General, Dr Josephine Ojiambo and CPA Secretary-General, Mr Akbar Khan.



Right: Ms Meenakshi Dhar, Director of Programmes at the CPA met with Mr Rahul Karad and Dr Prakriti Poddar of the Indian Student Parliament (Bharatiya Chhatra Sansad) to discuss their work to engage Indian youth and young women with politics and public life and the CPA's youth work.



Right: The CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP, Speaker of the Parliament of Malta represented the CPA at the 38<sup>th</sup> Session of the Steering Committee of the Parliamentary Conference on the World Trade Organisation (WTO) in Brussels.



Below: The CPA Headquarters Secretariat welcomed Senator the Hon. Stephen Parry, President of the Australian Senate and Mr Quinton Clements, Senior Advisor to Senator Parry. Senator Stephen Parry met with the Secretary-General of the CPA, Mr Akbar Khan together with staff from the CPA Headquarters Secretariat in London, UK to hear about the revised CPA programmes strategy and new developments at the CPA in parliamentary strengthening.



Above: The CPA Headquarters Secretariat welcomed Members of the Ontario Legislative Assembly from Canada to discuss the work of the CPA in parliamentary strengthening and in particular the important role that devolved and sub-national legislatures like the Legislative Assembly of Ontario have in the CPA. The Ontario delegation were: Ms Soo Wong, MPP and Deputy Speaker; Mr Ted Arnott, MPP; Mr Rick Nicholls, MPP; Mr Paul Miller, MPP; and Mr Todd Decker, Clerk of the Legislative Assembly of Ontario.

Right: Members of the Khyber Pakhtunkhwa Provincial Assembly in Pakistan visited the Commonwealth Parliamentary Association (CPA) Headquarters Secretariat to discuss the CPA's Technical Assistance Programmes and parliamentary strengthening opportunities.

Below right: The CPA Secretary-General Mr Akbar Khan delivered a lecture on the Commonwealth, the CPA and the role of Parliamentarians in the legal reform and development field to a group of PROLAW Masters Degree students at Loyola University Chicago School of Law - John Felice Rome Center with many of the students from Commonwealth countries.



Right and below right: The CPA Chairperson, Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of the Parliament of Bangladesh has highlighted the role

of the Opposition as important for strengthening parliamentary democracy at the third CPA Roadshow for young people in Bangladesh. The CPA Roadshow was held at the Bangladesh Parliament for 150 students from the Department of Law, English and Political Sciences of Dhaka University. The young people were also addressed by Hon. Zunaid Ahmed Palak, MP, Minister for Information, Communication and Technology and Mr Kazi Nabil Ahmed, MP.



Above: The CPA Headquarters Secretariat welcomed Hon. Steve Rodan, MLC, President of Tynwald and his delegation of Members and staff. The delegation met with the CPA Secretary-General Mr Akbar Khan together with staff from the CPA Headquarters Secretariat in London, UK to hear about the revised CPA programmes strategy and other CPA developments.





# The Commonwealth Parliamentary Association

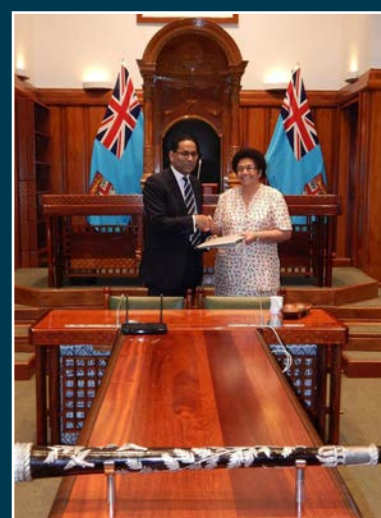
## CPA Photo Gallery



Above: During his visit to the CPA Malaysia Branch, the CPA Secretary-General Mr Akbar Khan attended the Commonwealth Women Parliamentarians (CWP) South-East Asia Regional Seminar at the Parliament of Malaysia (see page 161) and also delivered a CPA Roadshow to over 100 university students and members of the Malaysia Youth Parliament at UiTM (MARA University of Technology) in Malaysia accompanied by Hon. Dr Dato' Noraini Ahmad MP (Malaysia), Senator Datuk Seri Abd Halim Abd Samad, Deputy President of the Senate of Malaysia and other Members of the Parliament of Malaysia.



Above: The CPA has brought its youth engagement programme to Australia with a CPA Roadshow visit to Taminmin College, a school in Darwin, Northern Territory. The CPA Secretary-General Mr Akbar Khan held an engaging CPA Roadshow session with 100 students at a comprehensive rural school catering for students aged 11 to 16, accompanied by the Speaker of the Northern Territory Legislative Assembly, Hon. Kezia Purick, MLA along with local Members, Mr Gary Higgins, MLA and Mr Gerry Wood, MLA; and Hon. Niki Rattle, Speaker of the Cook Islands Parliament.



Left and below: The CPA Secretary-General Mr Akbar Khan visited the Fiji Branch of the CPA at the Parliament of Fiji and spoke of the progress shown towards democracy through the development of trusting relationships between Parliament, Parliamentarians and citizens in Fiji. The CPA Secretary-General met with Hon. Jiko F. Luveni, MP, Speaker of the Parliament of Fiji, together with Mrs. Viniana Namosimalua, Secretary-General to Parliament and Mrs. Jeanette Emberson, Deputy Secretary-General

to Parliament. The Parliament of Fiji is currently benefiting from a two-year CPA Technical Assistance Programme providing training to Parliamentarians and parliamentary staff. The CPA Secretary-General also met with the UNDP Pacific and British High Commission in Fiji.



Above and below: The CPA Secretary-General Mr Akbar Khan underlined the crucial role that parliaments can play in encouraging youth engagement in the political process during a visit to the CPA Singapore Branch and the Parliament of Singapore where he delivered a CPA Roadshow to over 50 students at the independent Anglo-Chinese School accompanied by the Deputy Speaker of the Parliament of Singapore, Hon. Lim Biow Chuan, MP, Member of the CPA's International Executive Committee, who also spoke to the students about Singapore's Parliamentary System and his role as a Member of Parliament. Earlier, the CPA Secretary-General had called upon Madam Halimah Yacob, MP, Speaker of the Parliament of Singapore at Parliament House.



Right: The Legislative Assembly of Northern Territory in Darwin, Australia hosted over 30 Commonwealth Speakers and Members of Parliament for the Mid-Year meetings of the CPA Executive Committee from 25 to 27 April 2017. For the Legislative Assembly of Northern Territory, one of the CPA's Small and most active Branches, stepping up to host a large-scale international meeting like this demonstrates their commitment to parliamentary democracy and the work of the CPA.



Centre right: The CPA Secretary-General held a bilateral meeting with the Speaker of the Legislative Assembly of Samoa, Hon. Leapepe Taimaiaono Toleafoa Faafisi, who was visiting the Parliament of New Zealand to mark the 55<sup>th</sup> anniversary of the 1962 Treaty of Friendship between New Zealand and Samoa. During his visit, the CPA Secretary-General also attended the CPA Pacific Region's first Commonwealth Parliamentary Association Lecture held at the Parliament of New Zealand (see page 128).

Right: Commonwealth Women Parliamentarians (CWP) attended a networking dinner on gender equality and sharing best practices from across the Commonwealth hosted by the CWP Chairperson, Hon. Dr Dato' Noraini Ahmad, MP and Hon. Kezia Purick, MLA, Speaker of the Legislative Assembly of the Northern Territory, in the margins of the CPA Executive Committee Mid-Year Meetings in Darwin, Australia.



Below: The CPA Headquarters Secretariat welcomed youth Members of Parliament from Uganda and Kenya during Commonwealth Week 2017 in London, United Kingdom to discuss the work of the CPA in youth engagement through programmes such as the CPA Roadshows and Commonwealth Youth Parliament and ahead of the 9<sup>th</sup> Commonwealth Youth Ministers Meeting, due to be held in Kampala, Uganda from 31 July to 4 August 2017.



Below: The CPA Roadshows have visited St Mary's College in central Wellington during the CPA Secretary-General's visit to New Zealand. The Secretary-General held an engaging CPA Roadshow session with 24 students at St Mary's College accompanied by New Zealand Member of Parliament, Munokoa Poto Williams, MP, who is also the Commonwealth Women Parliamentarians (CWP) Vice-Chairperson and the CPA Pacific Regional Secretary, Ms Wendy Hart.





# Commonwealth Day 2017

## CPA Headquarters Secretariat Activities

### Commonwealth Parliamentary Association marks Commonwealth Day 2017

The Commonwealth Parliamentary Association (CPA) has marked Commonwealth Day 2017 in London with the CPA Youth Programme focusing on this year's theme 'A Peace-Building Commonwealth'. 31 young people from across the Commonwealth participated in the programme, representing the following CPA Branches: Kenya, Nigeria, Pakistan, New South Wales, Falkland Islands, Gibraltar, Isle of Man, Jersey, Malta, Northern Ireland, St Helena, United Kingdom, Wales, Bermuda, Cayman Islands, Trinidad and Tobago, and Turks and Caicos.

The CPA Youth Programme on Commonwealth Day 2017 was opened by the CPA Chairperson, Hon. Dr Shirin Sharmin Chaudhury, MP who spoke of the importance of this year's 2017 Commonwealth theme for the Commonwealth Parliamentary Association which promotes peaceful dialogue between Branches and the strengthening of Commonwealth Parliaments to achieve democratic solutions. 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. The CPA Youth Programme participants heard from keynote speaker, Hon. Babiye Kityo Sarah Breeze MP, a young MP from Uganda who spoke of her experiences in parliament and working with the Youth Parliament in Uganda to build peaceful solutions to common problems. The Uganda MP was one of five visiting Members from Uganda and Kenya who joined the CPA Headquarters Secretariat's Commonwealth Day Programme.

This was followed by a round table discussion on the theme of 'The Role of Youth in 'A Peace-building Commonwealth'' led by

Hon. Vicki Dunne, MLA, CPA Treasurer and the Deputy Speaker of the Legislative Assembly of the Australian Capital Territory.

The round table discussion included a wide range of views on the theme and different definitions of peace-building and peaceful solutions from CPA

Commonwealth Day Youth participants and Members of Parliament from across the Commonwealth. These Members included New Zealand Parliamentarian, Hon. Paul Foster-Bell, MP, Hon YB Tuan Khoo Soo Seang, MP, House of Representatives, Parliament of Malaysia and Hon. Imran Ahmad, MP, Member of Parliament from Bangladesh. The key outcome from the round table discussion was that dialogue promotes peace and a peaceful society.

The CPA Chairperson accompanied by Mr Akbar Khan, Secretary-General of the Commonwealth Parliamentary Association and Hon. Alexandra Mendes MP, Parliament of Canada and Executive Committee Members for the Canada Region, attended one of the largest multi-faith celebration services in Westminster Abbey in the presence of Her Majesty Queen Elizabeth II, Head of the Commonwealth and Patron of the Commonwealth Parliamentary Association. Commonwealth High Commissioners, the Commonwealth Secretary-General and dignitaries from around the Commonwealth as well as senior politicians and 1,000 school children attended the service.

During the evening of Commonwealth Day 2017, HRH The Prince of Wales and HRH The Duchess of Cornwall met the CPA Chairperson and CPA Secretary-General, together with seven of the CPA Commonwealth Youth Programme participants at the Commonwealth Secretary-General's Commonwealth Day 2017 reception at Marlborough House, London, UK.

In addition, CPA Branches and Regions across the network of the Commonwealth Parliamentary Association marked Commonwealth Day in many different ways (see pages 122-127). Commonwealth Day has been celebrated around the Commonwealth on the second Monday in March every year since the 1970s.



### 'A PEACE-BUILDING COMMONWEALTH': A YOUTH PERSPECTIVE

*"Peace-building is very personal to me. I have been a victim of violence and radicalisation. Growing up as a kid in Fiango Kumba, a community in Cameroon, which was plagued by real violence, insecurity and feared by many, I told myself that my future would never be shaped by these atrocities."*

*"My journey for peace began by volunteering for Local Youth Corner Cameroon, a youth-led civil society organisation. Since then I have become an ambassador of change, a peace hero that is determined to risk his life for peace if that is what it takes. I believe that, peace is not the absence of war, but a jewel that we need to nurture from our hearts."*

*"Diversity is in the DNA of the Commonwealth. Peace runs in its veins. Despite our religion, culture, age, colour, class or gender, there are many of us risking our lives to build peace and make a change. Looking up to inspiring peace builders that went before us like Gandhi, Mandela, Princess Diana and Bob Marley, we, young people, remain inspired and will stand strong against any form of violence."*

*"Peace-building is a collective process. It takes each of us, and it takes the tools we have at our disposal. Using our voice, sports, arts, storytelling and music, we can promote peace. Investing in young people and ensuring the role for our youth is just as important. To achieve peace, we must educate our peers to understand that despite our race, religion or culture, we are equal. Be you a man or woman, young or old, poor or rich, we are all equal. We are one people. Together, let us stand for love, tolerance, justice and peace."*

*"Today, I am using my experience to provide innovative solutions to violence, using my transformation to connect and transform other young people. My team and I work with youths on the streets, correction centres, prisons, schools and communities; building their skills, and self esteem, opening their eyes against violence, and calling on our governments to provide solutions to the drivers of violence. Using violence to fight violence, as a means of peace-building is not the best option. I am glad to see the civil paths to peace gaining ground. Across the Commonwealth we have evidence of young people, many unpraised and unheard of, working daily and tirelessly to promote sustainable peace."*

*"Today, I see a new movement of young change makers united under one front. We preach Gandhi's philosophy. He said: "Non-violence is the greatest force at the disposal of mankind. It is mightier than the mightiest weapon of destruction devised by the ingenuity of man."*

*"Young people can not do this alone. We must partner with our governments to uphold human rights, democracy and good governance. I stand here to call on our governments to support and take youth partnerships seriously for it is the only solution to end the cycle of violence."*

*"I am excited by the presence of so many young people here today; young people who have their future before them. I have this message for you: I have seen the ravages of violence, even here in the UK, and I have tasted the honey of peace. I am convinced peace is the only way to achieve sustainable development. Peace is possible. I have made peace my personal business, will you?"*

*"Together we can make a difference. Join me on this journey of change. The path may be difficult and dangerous, but together we will make the world a better and more peaceful place. Thank you."*



This address was given at the 2017 Commonwealth Day Observance in Westminster Abbey. 26 year old Achaleke Christian Leke from Cameroon is a peace activist who serves as the National Coordinator of Local Youth Corner Cameroon, a youth-led organisation promoting peace and countering violent extremism. Over 5,000 young Cameroonians have benefitted from its youth empowerment programmes on ideals of peace-building, countering violent extremism, leadership development, and national integration. He has organised over 40 different youth empowerment and advocacy training workshops across Cameroon and worked closely with the Cameroon National Youth Council.

Achaleke has leveraged his huge following on social media to spearhead a culture of peace, and influenced dialogue among young people on opportunities to be peace-builders. He has shared good practices, emerging trends and success stories of youth leadership in the areas of peace-building and countering violent extremism, training over 2,000 young people with a manual he designed. He was named Commonwealth Young Person of the Year 2016 and Commonwealth Africa Young Person of the Year 2016.





# Commonwealth Day 2017

## CPA Branch Activities

### CPA Victoria Branch, Australia

To celebrate the 2017 Commonwealth Day theme 'A Peace-building Commonwealth', the CPA Victoria Branch decided to take a new approach to youth engagement through the development of a project called 'Peace by Piece'. This project is part of a bigger vision of the Victorian Parliament to actively involve youth through a series of workshops that encourage young people to identify new ways in which they would like the Parliament to engage with them.

Commonwealth Day 2017 became a starting point for the implementation of this project and the project was part funded by the CPA Headquarters Secretariat as part of the Commonwealth Day bursaries to Branches. 'Peace by Piece' involved inviting young Victorians to express their views on how they as individuals can contribute to building a peaceful and harmonious community. These views were collected in the form of video interviews and filmmaker Marta Malchevski was commissioned to prepare the main video material to be delivered in two stages.

The filmmaker interviewed young Victorians, asking them to share their thoughts about building peaceful and harmonious communities. The filmmaker used an engaging interview technique to enhance the visual appeal of the video and connect it to the environment in which people live.

The final short video encapsulates the perspectives of youth on the



world they currently live in and the future that they envisage. The video material reflects an engagement of youth with the values they see as being important to ensuring a peaceful and harmonious future. The role of youth as being empowered and engaged in their society is emphasised in a powerful and unique way that encourages the viewer to consider the role that the individual has to play in ensuring that this future can be realised.

The Commonwealth Parliamentary Association was delighted to be able to contribute to this project and is excited for the response that both this stage and the next stage will receive from around the Commonwealth. To view the video please visit the following link: <https://youtu.be/Hsl9E8--67I>.

### CPA Falkland Islands Branch

The CPA Falkland Islands Branch marked Commonwealth Day 2017 with a range of events. Following the tradition of their previous Commonwealth Day celebrations, the Branch began the day with the raising of the Commonwealth Flag at both the Falkland Islands Community School and on Victory Green. The Speaker of the Legislative Assembly, Hon. Keith Biles, JP and His Excellency the Governor of the Falkland Islands, Mr Colin Roberts were present at the ceremony.

The key event of the day was the meeting of the Commonwealth Youth Parliament, which marked the first official sitting of the Falkland Islands Youth Parliament. Nine students from the Falkland Islands Community School participated in the session held in the Chamber of Commerce which was opened by the Deputy Speaker, Mr Anton Livermore CPM. The session started with questions posed to Members of the Legislative Assembly - including Hon. Dr Barry Elsby, MLA; Hon. Mike Summers OBE, MLA; and Hon. Michael Poole, MLA - regarding issues pertaining to youth, and this was followed by a public debate on the 'Effects of



Tourism on the Falkland Islands Environment'. An interesting and thought-provoking debate followed which encouraged youth to actively participate in, and contribute to, the issues that affect their societies and environments.



### CPA Balochistan Branch, Pakistan

The CPA Balochistan Branch celebrated Commonwealth Day 2017 in a sitting of the Provincial Assembly of Balochistan in Pakistan. 150 students from schools, colleges and universities from across Balochistan attended the sitting along with Head Teachers, Professors and Principals.

The Speaker of the Provincial Assembly, Ms Rahila Hameed Khan Durrani, opened the Commonwealth Day event with a speech focusing on 'Peace in the Region and the World' and read to the Assembly, Her Majesty Queen Elizabeth II's Commonwealth Day Message. Members of Parliament and Parliamentary leaders were also present and encouraged students to consider the Commonwealth Day theme and their role in working towards a peaceful and harmonious future.

### CPA Guyana Branch

The Commonwealth Day theme 'A Peace-building Commonwealth' was the topic of the panel discussion hosted by the CPA Guyana



Branch for Commonwealth Day 2017. Members of the Government,

### CPA Jamaica Branch

The CPA Jamaica Branch planned their Commonwealth Day celebrations for 2017 with an aim to 'highlight the structures necessary for safety and security of youth and explore how to involve Jamaican youth in peace-building activities'. This aim was achieved through involving youth in a series of events including a formal ceremony, panel discussion, exhibit and a Walk for Peace event, where youth were encouraged to actively participate and consider the theme 'A Peace-building Commonwealth'.

The formal ceremony was attended by the Speaker of the House of Representatives, Hon. Parnell Charles, MP, JP; the President of the Senate, Hon. Thomas Tavares-Finson, CD, QC, JP; and the Clerk of Parliament and CPA Regional Secretary for the Caribbean, Americas



and Atlantic Region, Mrs Heather Cooke as well as Members of the Jamaica Parliament. Students from local schools read the Opening Prayer, Her Majesty's Commonwealth Day message and messages from the Prime Minister, Hon. Andrew Michael Holness, ON, MP; and the Leader of the Opposition, Hon. Portia Simpson-Miller, ON, MP.



The panel discussion followed and addressed issues pertaining to the youth of Jamaica. Discussion was centred around the various factors that are negatively affecting youth in Jamaica, allowing for panellists and audience members to discuss personal experiences, suggestions on initiatives and programmes aimed at creating safer homes and communities and overall suggestions for making their society safer. Exhibits displaying different aspects of peace-building were also mounted around the room.

The Walk for Peace took place at the close of the celebration, where students carried placards and distributed Commonwealth Day posters and flags as well as CPA flyers. The two key messages that were generated by this celebration of Commonwealth Day were 'the centrality of the shared values of the Commonwealth to sustainable national development' and 'the importance of cooperation'.

### CPA Fiji Branch

Young people were the focus of the CPA Fiji Branch's Commonwealth Day 2017 celebration as students representing ten schools participated in an oratory competition on the Commonwealth Day theme. The orators came from schools along the Suva and Nausori corridor to speak on the importance of Parliament's role in peace-building.



The Speaker of the Fiji Parliament, Hon. Dr Jiko Luveni encouraged young people to consider how a competitive

spirit can contribute to their achievement.

A first, second and third prize were awarded after dynamic presentations were heard from all students. The competition encouraged students to be part of the move to create and foster peace-building in Fiji and across the Commonwealth. The Speaker of Parliament was joined by the British High Commissioner to Fiji, Ms Melanie Hopkins, at the event.





# Commonwealth Day 2017

## CPA Branch Activities

### CPA St Helena Branch

The CPA St Helena Commonwealth Day Working Group planned the St Helena Commonwealth Day celebrations for 2017 around the theme of ‘A Peace-building Commonwealth’. The main celebration took the form of an inter-denominational service at the cenotaph and Her Excellency the Governor of St Helena, Ms Lisa Phillips; the Deputy Speaker of the Legislative Assembly, Mr John Cranfield, MLA; and elected Members all attended the service. School children and representatives from uniformed contingents such as the girl guides, scouts and pathfinders, as well as members of the public also attended.

Commonwealth Day was also marked in St Helena by a Commonwealth Day debate, which brought together six elected Members of Parliament and six students from the Prince Andrew School to debate the motion: ‘that Members of the Commonwealth should make promoting and contributing to peace-building their highest

priority’. Whilst some spoke in favour of the motion, others believed that education should be the highest priority, making the point - ‘If everyone was educated, they would think twice about causing conflict’.

Special Commonwealth Day assemblies as well as Commonwealth essay and poetry competitions were also organised to ensure the engagement of youth on the day.



### CPA Zambia Branch

The Commonwealth Day Youth Parliament was held in Zambia to mark this year’s Commonwealth Day and engage youth with the theme ‘A Peace-building Commonwealth’. The objective of the Youth Parliament was to bring together young people from all of the ten provinces of Zambia to share their perspectives on the importance of youth empowerment and youth entrepreneurship in fostering peace. The First Deputy Speaker of the National Assembly, Hon. Catherine Namugala, MP and Second Deputy Speaker, Hon. Mwimba Malama, MP also attended, accompanied by Members of Parliament, representatives from the Ministry of General Education and staff of the National Assembly.

In reflecting on the Youth Parliament, one youth participant stated that the Youth Parliament had accorded the youths the privilege to gain a better understanding of parliamentary democracy and how it contributes to improving governance across the Commonwealth. The

youth participant also added that the Youth Parliament had helped those young people involved to appreciate the importance of democracy now and for future generations. Among the issues that were considered by the Youth Parliament was a debate on a presidential speech by a member of the Youth Parliament and the Youth Entrepreneurship Bill.



### CPA Kenya Branch

The CPA Kenya Branch celebrated Commonwealth Day 2017 with a full programme involving 20 students from four schools across Kenya, namely the Kenya High School, Precious Blood Riruta Secondary School, Pumwani Boys High School and the Nairobi School. The participants began the day with a tour of the Kenya Parliament before participating in discussions on youth and peace-building.

Hon. Aden Duale, EGH, MP, Leader of the Majority Party, took participants through statistics on conflict and explained how young people can be important drivers and agents of change in the development of their societies as they demonstrate openness to change, feedback and learning.



The session then went into a plenary where Hon. Aden Duale, EGH, MP, encouraged participants to share examples of local initiatives and efforts to encourage peace. The participants

unanimously agreed that these initiatives have collectively played a big role in countering violent extremism.

A lively discussion on the proceedings of the House followed, based on the Order Paper which guides the business of a sitting. Participants also discussed the law-making process and how youth may get involved. Hon. Dr Joyce Laboso, MGH, MP, Vice-President of the CPA Kenya Branch and Deputy Speaker of the National Assembly, then took participants through a recap of the day’s activities and encouraged participants to contribute to peace-building at a personal level and do everything possible to sensitize people about peace initiatives. In a colourful ceremony, Hon. Dr. Joyce Laboso, MGH, MP issued Certificates of Participation to the 20 participants and the three teachers who had accompanied them.



### CPA Nevis Branch

The CPA Nevis Branch commemorated Commonwealth Day 2017 with two activities involving thirty students of 13 to 16 years of age. The Commonwealth Day activities were designed to engage students with the operations of the Senior Citizen Flamboyant Home in Nevis Island to gain first-hand knowledge about the institution. Leading up to Commonwealth Day, the students visited the institution on three separate occasions, involving themselves in the day-to-day operations.

On Commonwealth Day itself, the students were invited to participate in a mock sitting of Parliament where they engaged in a debate based on their observations and recommendations from their experience working at

the Senior Citizen Flamboyant Home. Each participant was allotted seven minutes to discuss their experience and perspectives.

The President of the Nevis Island Assembly, Hon. Farrell Smithen; the Leader of the Opposition, Hon. Joseph Parry; the Acting Premier of Nevis Island, Hon. Alexis Jeffers; as well as other Members of Parliament attended the Nevis Youth Parliament.



### CPA Cayman Islands Branch

The Cayman Islands marked Commonwealth Day with a flag-raising ceremony at the Government Administration Building and a sitting of the Youth Parliament at the Legislative Assembly.

Government leaders and service groups gathered for the brief ceremony, which is part of the ‘Fly the Flag for the Commonwealth’ initiative that was marked in the 52 countries of the Commonwealth. ‘Fly the Flag for the Commonwealth’ provides an opportunity every year for people from all walks of life to join with others in their local community to celebrate Commonwealth Day in association with fellow citizens throughout the world.

The CPA Cayman Islands Branch hosted its 10<sup>th</sup> annual Youth Parliament in the chamber of



the Legislative Assembly following the ceremony. Twenty five students participated in the Youth Parliament, which included motions on educational skills gaps and child pornography. Meanwhile, students at George Town Primary School dressed in national costumes for a parade of Commonwealth nations on the school field to mark the day and to start off the school’s Culture Week.

### CPA Malta Branch

Members of Parliament from the Maltese Parliament celebrated this year’s Commonwealth Day by reflecting on Her Majesty Queen Elizabeth II’s Commonwealth Day Message which was shared with Members by the Speaker of the Maltese Parliament and CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP.

Members of Parliament were encouraged to share their thoughts, with some speaking of the positive vibes that the Commonwealth Heads of Government Meeting (CHOGM) 2015 has left in Malta, especially

in the fora of Women and Small States. The CPA Small Branches Chairperson also spoke briefly on the Commonwealth Day theme ‘A Peace-building Commonwealth’, emphasising that the Commonwealth has always been a safety net for peace.



### CPA Solomon Islands Branch

Students from seven high schools across the Solomon Islands were invited to participate in a debate to celebrate Commonwealth Day 2017. The event began with a speech from both the Speaker of Parliament, Hon. Ajilon Nasiu; and the Deputy Speaker, Hon. Andrew Manepora and was attended by the British High Commissioner, Mr David Ward; Australian High



Commissioner, Mr Roderick Brazier; the Chairman and Members of the Parliamentary House Committee, Members of Parliament, the Clerk of Parliament and parliamentary staff.

The Chairperson and Members of the Commonwealth Day Celebration Organising Committee were also present. The event began last year when the Parliament of the Solomon Islands and the British High Commission offices met for the first time and agreed to collectively celebrate Commonwealth Day in the Solomon Islands. The Speaker of Parliament noted that the increasing interest in this event will make it a major annual event, both next year and in the future.



# Commonwealth Day 2017

## CPA Branch Activities

### CPA Scotland Branch

The CPA Scotland Branch's celebration of Commonwealth Day 2017 involved a week-long celebration of the importance of the Commonwealth. Commonwealth Day was marked by several events including an address to Members of the Scottish Parliament (MSPs) by the CPA Chairperson, Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of the Parliament of Bangladesh during her visit to the CPA Scotland Branch. The CPA Chairperson's address highlighted the importance of the Commonwealth in the post-Brexit world, and the importance of the devolved legislatures to the CPA. The CPA Chairperson's address was 'live' streamed on the Scottish Parliament's Facebook page and can be viewed at the following link: [http://www.scottishparliament.tv/20170315\\_single\\_videos](http://www.scottishparliament.tv/20170315_single_videos).



The CPA Chairperson was joined at the Scottish Parliament in Edinburgh by the CPA Secretary-General, Mr Akbar Khan and Hon. Imran Ahmad, MP, Member of Parliament from Bangladesh and Member of the CPA

Executive Committee. The CPA delegation met with the Presiding Officer of the Scottish Parliament and President of the CPA Scotland Branch, Rt Hon. Ken Macintosh, MSP, as well as other Members including the Deputy Presiding Officer of the Scottish Parliament, Linda Fabiani, MSP; First Minister of Scotland and Vice-President of the CPA Scotland Branch, Rt Hon. Nicola Sturgeon, MSP; and



with Ruth Davidson, MSP, Leader of the Scottish Conservatives, also a Vice-President of the CPA Scotland Branch.

The visit of the CPA delegation to Scotland highlighted a number of key issues including the important role that

devolved and sub-national legislatures play in the CPA as the CPA is the only Commonwealth body that works to strengthen sub-national, territorial, provincial and devolved parliaments such as the Scottish Parliament; the importance of the Commonwealth in a post-Brexit



era; and the crucial role that parliament should play in public engagement in the political process, especially engaging young people who constitute 60% of the 2.4 billion



population of the Commonwealth. The Scottish Parliament also held a final item of business with a Members' Business Debate in the chamber on motion S5M-04048, in the name of Stuart McMillan, MSP, during the week of Commonwealth Day 2017. The motion also heard from a wide range of MSPs: Margaret Mitchell, MSP; Kenneth Gibson, MSP; Johann Lamont, MSP; Alexander Stewart, MSP; Maurice Corry, MSP; and Dr Alasdair Allan, MSP, Minister for International Development and Europe. Members of the CPA visiting



delegation were also in the chamber to hear the debate. Visit the Official Report (Hansard) to find the Parliamentary Debate in The Scottish Parliament on Commonwealth Day 2017.

The visit also enabled the CPA Secretary-General to conduct CPA Roadshows at two local schools in Edinburgh, Stockbridge Primary School and Holy Rood High School, accompanied by Linda Fabiani, MSP, Deputy Presiding Officer of the Scottish Parliament, as well as conducting a roundtable discussion with university students from across Scotland on the importance of the Commonwealth and



of parliamentary democracy chaired by Johann Lamont, MSP. The CPA Roadshows provide an opportunity for young people to learn about the political values of the Commonwealth such as diversity, development and parliamentary democracy; to discuss issues of concern about the society in which they live; and to meet local Members of Parliament and Parliamentary staff and to find out about the work of the CPA.



### CPA Trinidad and Tobago Branch

To celebrate the 2017 Commonwealth Day theme of 'A Peace-building Commonwealth', pupils from thirty nine schools, colleges and institutions from across Trinidad and Tobago attended a forum titled, 'Peace begins with me' at Parliament, hosted by the Speaker of Parliament, Hon. Bridgid Annisette-George, MP and the President of the Senate, Hon. Christine Kangaloo. The Speaker introduced the event, dispelling the idea of 'peace' as a passive state.

Students also enjoyed a 'skit' about classroom conflict performed by the Arts in Action (AIA) programme of the University of the West Indies (UWI), St Augustine. The 'skit' allowed onlooking students to stop the unfolding scenario at any point where they thought the 'teacher' or 'students' had behaved badly, and suggest better options for conduct.

The students were also addressed by the Citizen Security

### CPA Malaysia Branch

The Malaysia Branch of the CPA celebrated Commonwealth Day 2017 with an event that was attended by nearly 200 MPs, ambassadors of Commonwealth countries, and the Speakers and Members of many of the Legislative Assemblies across the country. The event raised a clarion for peace and understanding among the people of the world, and celebrated the diversity of the Commonwealth as well as encouraged a sense of awareness in the strength of Commonwealth countries working together.

The celebration began with the release of balloons by distinguished



### CPA Canada Federal Branch

The Canadian Federal Branch of the CPA celebrated Commonwealth Day and the 150<sup>th</sup> anniversary of Confederation on Parliament Hill on 22 March 2017. To underscore this momentous occasion, CPA Canada invited all High Commissioners in the Ottawa region for a celebratory reception, which was also attended by Hon. Yasmin Ratansi, MP, Chairperson of CPA Canada and Hon. Alexandra Mendes, MP, Canada Regional



Representative on the CPA's International Executive Committee. Each speaker at the event drew links between the Commonwealth Parliamentary Association and Canada's 150 years of Confederation.



### Programme (CSP)

coordinator who spoke about how students can employ the four tools of emotional intelligence to deal with their current feelings and reactions to conflict - self-awareness, self-control, self-motivation and empathy.

The aims and methods of mediation for conflict resolution were also spelt out in a talk by the Mediation Board Directors. The Centre for Human Development also encouraged students to think about what peace means.



guests, and messages of peace were attached to each of the balloons. The President of the Senate, Senator Dato' Sri SA. Vigneswaran gave the opening speech, speaking on the Commonwealth Day theme and the strength of the Commonwealth as a community of nations. This was followed by the launch of the Commonwealth Monograph Volume One 2017, which consisted of excerpts of speeches and short articles focusing on Commonwealth aspirations, contributed by Senators, Members of Parliament and the State Assembly. The Commonwealth Day 2017 event was also attended by the Commonwealth Women Parliamentarians (CWP) Chairperson, Hon. Dr Dato' Noraini Ahmad, MP.



The evening's theme was grounded in the Commonwealth countries' shared values and principles in human rights, equal opportunity, tolerance and the rule of law.

While Canada's 150<sup>th</sup> anniversary of Confederation is not official until 1 July 2017, celebrations have already begun across the country. To mark this historic event, Members of CPA Canada have been busy planning and participating in events around Parliament Hill and in their home provinces. Since Canada has been part of the CPA from its inception, these occasions are a good opportunity to highlight the Association's contributions to Canada's history and vice versa.





## CPA Pacific Region reflects on 'silver linings in dark clouds hanging over democracy' at Commonwealth Parliamentary Association Lecture



Establishing a democracy is easy but sustaining it through difficult times is a challenge, said former Commonwealth Secretary-General Sir Don McKinnon.

More than a hundred people gathered at Parliament House in New Zealand for the second lecture in the Commonwealth Parliamentary Association's (CPA) international lecture series and the first for the CPA Pacific Region, with the keynote address given by Sir Don McKinnon ONZ, GCVO. The lecture was hosted by the CPA New Zealand Branch and the New Zealand Parliament on behalf of the CPA Pacific Region.

Sir Don McKinnon said out of 190 countries in the world, 120 were democracies in the year 2000, but that number had slipped to 100 in 2005 and to 80 in 2010. *"Democracies take a long time to mature and they are changing all the time. The democratic structure we are familiar with here is very much from the Western World. The round peg doesn't always fit into that square hole so we need to think about that and work to develop a constitution and structure a whole country can manage."*

Sir Don McKinnon said that external forces against any state can challenge democracy whether war, terrorism, global financial crisis or economic collapse. However he identified many ways to boost democratic culture including ensuring political parties funding and membership is transparent, recognising the skills of former prime-ministers, presidents and foreign ministers who can

support fragile democracies over a sustained period of time to help them become more robust and encouraging young people to take part in political debate. The Commonwealth occupies a special place in the world and stands for the enduring Commonwealth political values which include democracy, human rights, the separation of powers, good governance and the rule of law, as stated in the Commonwealth Charter.

The Commonwealth Parliamentary Association Lecture was attended by guests including the Speaker of the Parliament of New Zealand, Rt Hon. David Carter, MP and the Speaker of the Parliament of Samoa, Hon. Leaupepe Toleafoa Apulu Fa'afisi, MP, together with Members of the New Zealand Parliament, parliamentary staff, members of the diplomatic corps and representatives of many international organisations.

The Speaker of the Parliament of New Zealand, Rt Hon. David Carter, MP, said it was an important time to host such a lecture. *"Cynicism and disinterest in politics can lead to a decline in voter-turn out and destabilises the very legitimacy of our representative democracies. Parliamentarians need to remain vigilant and reach out to citizens who are not currently engaged. The silver lining is that we have many of the tools in our hands already, as long as we are committed to being progressive and as open and transparent as practicable."*

The CPA Lecture was hosted by New Zealand Members of Parliament, Paul Foster-Bell, MP, Regional Representative for the CPA Pacific Region and Munoko Poto Williams, MP, Vice-Chairperson of the Commonwealth Women Parliamentarians (CWP) and CWP Pacific Chair/Regional Representative. Mr Foster-Bell, MP said he was delighted to host the lecture on behalf of the Pacific Region of the CPA: *"The CPA brings together an international community of over 180 Commonwealth Parliaments and Legislatures, representing more than 17,000 Members of Parliament. It's now in its 106<sup>th</sup> year and is continuing to work to deepen the commitment to the highest standards of democratic governance, promote human rights and international peace and order, including the right to participate in free and fair elections."*

The Secretary-General of the Commonwealth Parliamentary Association, Mr Akbar Khan also attended the lecture and said: *"I am delighted to attend the first CPA Pacific Region Commonwealth Parliamentary Association Lecture delivered by Sir Don McKinnon, which could not be more fitting given his outstanding contribution to parliamentary democracy in his region and across the Commonwealth. We live indeed in turbulent times and it is of immense value to hear his views on the current political climate, how it affects the Pacific Region and how Parliamentarians and Legislators can work together to strengthen democracy."*

Sir Don McKinnon was the Commonwealth Secretary-General between 2000 and 2008. He is the former Deputy Prime Minister, Minister of Foreign Affairs and Minister of Pacific Island Affairs of New Zealand. He was named Foreign Minister of the Year by *The World Economic Forum* publication in 1998. He was also nominated for a Nobel Peace Prize for his work in bringing about a peaceful resolution to the decade long civil war in Bougainville in Papua New Guinea.



The Commonwealth Parliamentary Association Lecture was part of an international lecture series on the challenges and opportunities involved in promoting and implementing the Commonwealth's political values. The series aims to encourage all nine regions of the CPA to raise issues to inform parliamentary debate within each region and across the Commonwealth. Each lecture will be given by a Parliamentarian who has devoted their career to public service and set the bar of outstanding parliamentary leadership. The inaugural lecture was held in London, UK in December 2016 and was given by former UK Lord Speaker, Rt Hon. Baroness D'Souza CMG.

Collectively, this series of lectures will contribute both to the CPA's continuing dialogue within its membership and to reach out beyond to other stakeholders such as members of the international community, the diplomatic corps, civil society and the wider public with the lectures being available online through the CPA website and CPA YouTube channel [www.cpahq.org/cpahq/youtube](http://www.cpahq.org/cpahq/youtube).



Images courtesy: Parliament of New Zealand





# THE CONNECTED COMMONWEALTH: A PATCHWORK OF PEACE

Reflections on the Commonwealth by the UK Chair of the House of Lords International Relations Committee.



**Rt Hon. Lord Howell of Guildford** is President of the Royal Commonwealth Society and Chairman of the Council of Commonwealth Societies. He is also Chairman of the House of Lords International Relations Committee. A Parliamentarian since 1966, Lord Howell is a former Secretary of State for Energy - under Prime Minister Margaret Thatcher - and was more recently Minister of State at the Foreign and Commonwealth Office with special responsibilities for the Commonwealth and for International Energy Security. He is a Privy Counsellor and was created a peer in 1997.

A number of reasons explain the undoubted heightening of Westminster interest in the potential and prospects of the Commonwealth in recent months.

The first and most obvious is that with Brexit in prospect attention has turned, sometimes a bit shamefacedly, to the trade possibilities in Commonwealth markets - possibilities which were not only cast aside back in 1972 but studiously ignored by London policy-makers ever since.

Suddenly the mood has changed. All the talk is of making new links and refreshing old ties. Free Trade Agreements are to be eagerly sought on all sides. Commonwealth countries who received the cold shoulder by the United Kingdom back in 1972 can be forgiven for a certain scepticism. But the hope is that the snubbed ones - especially those that have developed vastly richer consumer markets in recent decades - will forgive, forget and cooperate. After frowns and neglect, it is smiles for the Commonwealth family all round.

The second reason is

a mixture of serendipity and prescience. Back in November 2015, at the Malta Commonwealth Heads of Government Meeting (CHOGM), Britain agreed - at the time with a good deal of nudging and without much enthusiasm - to host the next Commonwealth Summit in the spring of 2018. Scroll forward to 2017 and in London it all looks different.

The 2018 Commonwealth Summit becomes a major staging event in the great British re-positioning - away from the EU as Britain's exclusive destiny and towards Britain as a global power in a network world. In this new scenario, the Commonwealth ceases to be just one more international body in the foreign policy portfolio and becomes a central part of the future strategic picture.

A small handful of diplomats in the Foreign Office has been absorbed into an 80-strong army of officials in a new Cabinet Office unit charged with taking the whole affair forward and coordinating activity right across Whitehall and the private sector.

All this uplift is good and very encouraging but there are

deeper reasons still to explain the new and growing sense of relevance of the Commonwealth network. These lie not in Brexit, nor just in renewed British commitment and interest, but are rooted in something with far more geo-political significance.

Put briefly, the world system of communication and cooperation has changed totally and beyond recognition. Connectivity has transformed traditional notions of diplomacy, patterns of behaviour between nations and forms of international trade and cooperation.

McKinsey reckons that more than half the earnings now flowing from international trade arises not from physical goods but from data flows, information and services of every kind.

Huge new supply chains now wind across the world and business relationships between states now only flourish in a powerful framework of 'soft power' connections at all levels, governmental and non-governmental, including common language, common values, cultural and sporting links, educational links, common



Image courtesy: CPA UK Branch.

**“Within this revolutionary new context it so happens, without any master plan or ideological impulse, that the Commonwealth network emerges as the ideal platform - the self-associating and non-hierarchical type structure which is utterly suited to the digital age.”**

standards (especially in relation to gender and racial equality), and friendship to an unprecedented degree of trust, intimacy and connectivity.

The English language, in particular, has now become the protocol of the cyber-entwined planet - a binding force par excellence with its own internal DNA.

Within this revolutionary new context it so happens, without any master plan or ideological impulse, that the Commonwealth network emerges as the ideal platform - the self-associating and non-hierarchical type structure which is utterly suited to the digital age. We are entering here into a world which even the most assiduously compiled statistics cannot cope with or reflect.

No figures of past Commonwealth trade - in the British case modest in recent years - can pick up these

powerful trends which are building the future.

This new trade and commerce milieu, depends for its success even more than traditional forms of trade on certain fundamental and essential requirements. It relies more than ever on secure political conditions and relations, on minimised instability and maximised friendliness, on open and unhindered connectivity and on shared values.

In turn all this demands closer co-operation than ever before on security, national defence, collaboration against international crime and drug operations and the safeguarding of trade routes by land and sea. Those who argue that shared values may be fine but don't put food on the table or promote economic growth are wrong in every respect. It is precisely these likeminded commonalities and the trust which they

Above: Lord Howell of Guildford joins the Secretary-General of the Commonwealth Parliamentary Association, Mr Akbar Khan on the panel to speak about the Commonwealth, Peace and Security at the International Parliamentary Conference (IPC) on National Security and Cybersecurity in London, United Kingdom held at Church House in March 2017.

engender which make business easier and project co-operation freer from misunderstandings and lost-in-translation mix-ups.

Before our eyes the modern Commonwealth is evolving to meet these conditions and to create a zone of highly professional co-operation and trust which stands in sharp contrast to the volatile and dangerously unstable world outside the network. This is about as far as you can get from





**“The focus now has to be on strengthening the values which bind us and the potential, both social and economic, for advancement for each and every Commonwealth member, large and small. And it is worth noting that in a world of networks, unlike a world of exclusive trade blocs, the interests and welfare of the smallest community or island state, become just as important, and just as influential to the whole system, as the largest. Again, these are the unique strengths of the Commonwealth.”**

Right: Lord Howell of Guildford addresses the International Parliamentary Conference (IPC) on National Security and Cybersecurity in London, United Kingdom.

the old British Empire, although uncomprehending media commentators and, alas, some ill-informed officials, continue to make the connection.

The modern Commonwealth is not, of course, the only network system in an era of global networking between nations and peoples. But it is without doubt a set of connections which gives Britain a flying start over competitors - as the UK policy-planners, after years of neglect, disinterest and, in places, outright disincentives, are belatedly realising.

Back in 2015, a little noticed but profound London School of Economics report was published called *'Investing in Influence'* backed by the highest expertise and authority, reminded us of some new home truths about the world, namely:

- That the processes of globalisation have eroded both the dominant role of the Western core and of states writ large;
- That we are in the process of a shift from an industrial world to an information world;

- That this will be a world of network relationships and not of superpowers;
- That relationships are not born, they are made, but that the Commonwealth network offers enormous opportunities for mutual trade, influence and business that have yet to be fully capitalised;
- That for too long British foreign policy has been the preserve of 'grandees' with an understanding that reflects their own reading of history;
- That the UK now operates in a world that is networked, interdependent and with power diffused across a wide-range of state and non-state actors;
- That large scale military force does not have the same importance that it did 60 or 70 years ago, and that the tools of international diplomacy need to be renewed.

They could usefully have added that trade and exchange are becoming dominated

by information flows, data transmission and process-sharing. As a matter of record almost half the export earnings of a country like the UK come not from actual goods shipped but from services of every kind and this proportion is rising fast.

It is in this completely revolutionary world context that we should be analysing and reviewing the Commonwealth system today.

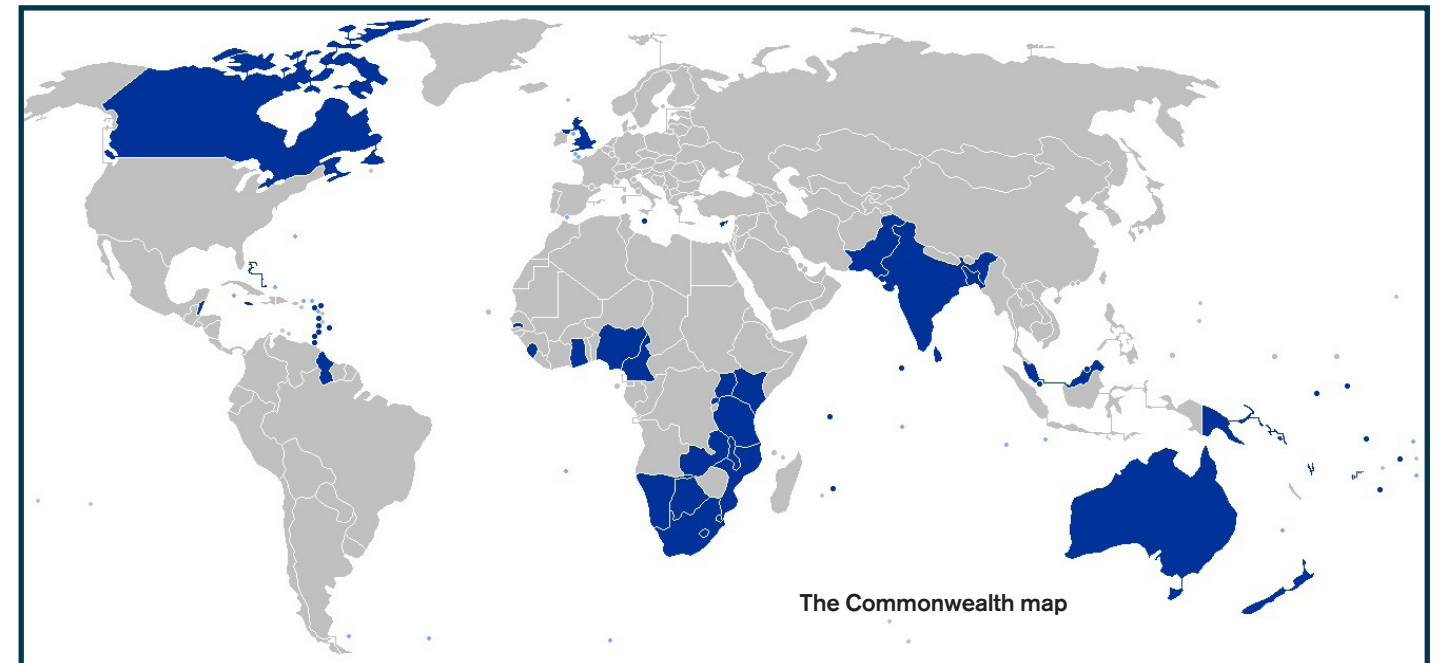
It cannot be emphasised too strongly that the Commonwealth today is tailor-made for this new kind of milieu. It may have become so by accident, not by design. But it is nonetheless now the perfect platform for business and relationships in the digital age.

Her Majesty the Queen, Head of the Commonwealth, presciently observed just this almost seven years ago.

The focus now has to be on strengthening the values which bind us and the potential, both social and economic, for advancement for each and every Commonwealth member, large and small. And it is worth noting that in a world of networks,



Image courtesy: CPA UK Branch.



The Commonwealth map

unlike a world of exclusive trade blocs, the interests and welfare of the smallest community or island state, become just as important, and just as influential to the whole system, as the largest. Again, these are the unique strengths of the Commonwealth.

There is one caveat. Values on paper, fine speeches and calls for more trust, become weak and impotent unless underpinned by security, physical and political, by good and honest governance, and by the rule of law. Thanks to the information revolution it is an age of people power, but also an age when good governance, bedded in strong national security, is demanded more strongly than ever.

In South-East Asia, I believe that close Commonwealth co-operation, both maritime and military, is going to become of increasing relevance. We may all admire and seek to do business with the massive Chinese economy, but we do not want to see an Asia entirely Chinese-dominated. Nor do we necessarily want to see the region grow into a confrontational battle-ground between American super-power ambitions and rising Chinese

power – what has been called the *Thucydides* trap.

That kind of stand-off, full of conflict escalation potential, is inherently unstable and a danger to world order. A better pattern in Asia has to be between the Commonwealth powers of India, Australia, Malaysia, New Zealand, maybe with Japan in alliance, not to challenge but to *balance* the Chinese titan. Britain can play a supportive role. There is plenty of past experience on which to build.

Of course there are flaws in this new tapestry. Tension is high again between two Commonwealth members, India and Pakistan. Other countries are lagging badly in good governance, human rights and treatment of women. But at least within the Commonwealth family the pressure is on them night and day. The standards are there to be aimed for.

Despite these obvious problems the Commonwealth network of today and tomorrow emerges not as a fading association bound by memories and history, but as a uniquely relevant and immense network in today's transformed international order – and one to which every member, large and small, should

vigorously subscribe and from which every member benefits increasingly.

It is also a network with which several other countries seek to be associated, and my own view is that they should be welcomed into suitable forms of association, if not full membership, without delay.

That should provide a safer berth for states and communities who do not seek full Commonwealth membership but do want honoured and close friendship with the club and its non-governmental agencies.

The Republic of Ireland, a number of Middle East and African nations and even the Special Administrative Region of Hong Kong all come to mind. Suggestions that the mighty USA under its new President was contemplating Commonwealth association go too far, but the understanding of the value of the Commonwealth is certainly in Washington minds, and there is strong support for a new branch of the Royal Commonwealth Society in New York!

In a chaotic and uncertain world, with even the United Nations struggling to bring order, the Commonwealth milieu is the

sort of association that more and more countries find valuable and supportive.

Black swan events undoubtedly lie ahead disrupting not only trade but the security which underpins it and creating a premium for zones and networks that can protect themselves efficiently. The binding forces in an age of mass involvement and digital dispersion are just not going to look like the institutions of the 20<sup>th</sup> century.

Elaborate bureaucracies and organizational HQs are going to be replaced by block chain-like systems, relying on algorithms of breath-taking power, recording, sorting, coordinating and distributing tens of millions of opinions, needs and concerns with unimaginable speed.

Something akin to a *'Bluetooth Commonwealth'*, invisibly linked in myriad ways, fits perfectly into this new milieu. It becomes a live patchwork of peace, held together by new forms of international connection and common purpose in which the UK has the lucky opportunity to play a full part – an opportunity that must on no account be missed.







# IN THE PUBLIC INTEREST: TAKING INTEGRITY TO HIGHER STANDARDS

Report on the 2017 OECD Global Anti-Corruption & Integrity Forum  
30-31 March 2017, Paris, France.

## Why integrity matters

The fight against corruption has been on the international agenda for several years and is a major concern for the United Nations and the international development community. Corruption and the lack of adequate standards of integrity not only prevents sustainable growth, economic development and the fair distribution of resources, but also the growth of stable and inclusive democratic

institutions. This, in turn, has major implications on a country's ability to adhere to international human rights standards. It also undermines the credibility of any system of governance with the people it governs.

The role of Parliament in fighting corruption and raising integrity standards is of particular importance given the role of Parliamentarians as the representatives of the people and Parliaments oversight function of the Executive. As such, Parliamentarians not only play a crucial role in ensuring that adequate legislation eliminates the drivers of corruption; they are also vital in overseeing the implementation of laws on a local level and alert all relevant stakeholders of potential shortfalls in the practical application of legislation.

Parliamentarians also assume an important role in modelling the right behaviour to others as leaders within their communities and constituencies.

To ensure that CPA Members keep abreast of the tools and strategies to fight all forms of corruption and violations of integrity standards, the CPA funded three Members of

Parliament to attend the 5<sup>th</sup> Global Anti-Corruption and Integrity Forum held by the OECD in Paris in March 2017: **Hon. Len Isleifson, MLA, Manitoba, Canada; Hon. Sandra Nelson, MLA, Northern Territory, Australia; and Hon. Alando Terrelonge, MP, Jamaica.**

The Members were chosen through a competitive application process which was open to all CPA regions under consideration of regional spread and gender balance.

The Forum provided the Members with the rare opportunity to explore the issue of corruption within an exceptional setting, bringing together senior representatives from government, international organizations, civil society, the public sector and academia.

This report covers some of the issues that were discussed at the Forum and a range of senior stakeholder inputs. It also provides a selection of tangible policy recommendations that CPA Members distilled from the sessions.

## Summary

Ninety two speakers presented on 20 topics during the two-day Forum, representing the

business community, civil society and Government agencies whose primary focus is to ensure the public interest is taken into account by battling corruption and raising integrity standards, whether this is done through strong governance, financial accountability, justice, or the relationship between private and public entities. Presentations tackled, amongst others, the consequences of corruption for society such as inequality, exclusion and disillusionment, the influence of political party donations, developments in corporate liability for graft, the role of export controls to counter bribery, effective accountability, and how to build a culture of integrity. In addition, context-sensitive drivers of corruption were also discussed as well as gender considerations in anti-corruption strategies.

Discussing ways of tackling corruption and raising integrity standards through specific spheres of influence, the Forum raised the following issues:

**The private sector:** To tackle corruption through the private sector, the Forum explored measures of how to ensure corporate liability for corruption



and other economic crimes and engaging government through corporate due diligence for responsible business conduct. Participants also discussed how to stimulate fair competition and economic growth and how to shape a level playing field for business.

**The public sphere:** To tackle corruption through the public sector, the Forum discussed how to prevent corruption in development cooperation, how to prevent policy capture and promoting the public interest in policy making. They also touched upon how to strengthen the legitimacy building of anti-corruption agencies.

**Parliament:** It was stressed that the role of parliaments in promoting integrity was of particular importance; the adherence to codes of conduct was therefore recommended

so Parliamentarians could ensure an acceptable level of integrity standards in democratic institutions and hereby strengthen the public's trust in the democratic system of governance.

The attendance at the Forum of approximately 1,300 individuals from multiple professional environments such as Government, business, the public sector and civil society was a firm indication of the seriousness with which the international community is taking the issue and that all attendees attending were committed to find ways to tackle corruption and raise integrity standards through mutual exchange and learning.

## Keynote Speeches

The Forum was opened by Prime Minister of the Slovak Republic, Mr Robert Fico, the Vice-President of Nigeria,

Professor Yemi Osinbajo, and the Secretary-General of the OECD, Mr José Ángel Gurría.

Secretary-General Gurría warned the audience that the erosion of trust generated by corruption and the lack of integrity bred the rise of populism, protectionism and exclusive nationalisms, which could lead to confrontation and international fragmentation. It was therefore of the utmost importance to restore the trust of citizens in their governments and their democratic systems; for democracy to be effective, citizens had to believe that the work of public institutions improved their lives for the better. The Secretary-General also stressed that the Edelman Trust Barometer for 2017 revealed that *"only 15% of people feel the current overall system is working for them, with 69% of those surveyed expressing concerns about*

*'corruption' and 62% about 'globalisation.'*" This was only an indication of the importance of tackling the issue and that work remained to be done.

Vice-President Professor Osinbajo informed the audience that the terrorist surge in the north-east of his country Nigeria in recent years had been directly fuelled by corruption, which has ultimately led to one of the worst humanitarian disasters in the world. He stressed that united action and international cooperation





The OECD Forum panel on 'Regaining Trust Through Integrity'.

Image courtesy: OECD

to tackle this challenge was the key to success, partly because many countries battling corruption did not have strong enough institutions to do so. He commended the international work which had been done in this regard, such as the negotiation and promotion of the *United Nations Convention against Corruption*, amongst others. Nevertheless, he also stressed that a lot remains to be done as the international structure was still incomplete.

Prime Minister Fico emphasized that the cost of corruption for the European Union amounted to 120 billion Euros a year. He also shared with the audience that his government's manifesto included the provision of an anti-corruption clause in all legislative proposals. Furthermore, he informed participants about a recently introduced law relating to public sector partnerships that ensures that any public entity wanting to conduct business with the government must provide a complete ownership structure to ensure it is publicly known who the final beneficiary of any business activity is. He

concluded his speech with stating that the international nature of corruption crime confirms that no country is immune to such activities and that it was therefore important to create international anti-corruption policy frameworks and implementing comprehensive anti-corruption sanctions through close cooperation.

#### **The Sessions: an Excerpt**

The first session was presented in the form of a High-Level Panel. The panel was moderated by Douglas Frantz, Deputy Secretary-General from OECD.

Ms Arly Gomez Gonzalez, Minister of Public Administration in Mexico, informed the audience that corruption was, after poverty, the second leading concern for the Mexican people and stressed the necessity for a fundamental change of culture to tackle the issue. She also emphasized the social and economic consequences of corruption in Mexico and their consequences for the fall of employment rates and income in the country.

Ms Arly Gomez Gonzalez informed attendees of the historic milestone of 2016 when

Mexico's regulatory framework for its national anti-corruption system was drafted. The drafting process placed citizens at the very centre by involving them in important decision-making activities from the start through a citizen consultation process. She also stressed that the private sector had played a fundamental role in the drafting of the framework, but would do even more so now, during the framework's implementation.

Following the High-Level Panel, the Forum offered participants the opportunity to attend both open panel discussions and concurrent sessions. Amongst others, opportunities for improvement of both anti-corruption measures and improved integrity standards were discussed. One of the concurrent sessions of the Forum was titled '(Re-)Gaining Public Trust through Integrity'. It provided valuable insights from Ms Elodie Beth Seo, Programme Advisor for the United Nations Development Programme in Bangkok who pointed out that it was particularly important to uncover what people were expecting from their

governments to ensure that they trusted their democratic systems to deliver the services they needed. Parliamentarians are uniquely positioned to do so due to their linkages with both their constituents and the government.

The first day of the Forum also included a session titled '*Beyond Cases and Open Data; Towards a Culture of Integrity*' and concluded with '*Benefits for Friends? Preventing Policy Capture & Promoting the Public Interest in Policy Making*'.

Day two of the Forum offered a session titled '*A Bridge or a Tunnel? Preventing Corruption in Infrastructure*'. During this session, Professor Giovanni Menduni from the Politecnico di Milano pointed out that Parliaments might want to pay more attention to the pre-tender phase of infrastructure projects when making laws. According to Professor Menduni, laws currently focus on the post-tender phase, however it needed to be noted the pre-tender phase was particularly vulnerable to corruption due to the lack of pre-defined steps to be taken during this phase.

#### **Selected Recommendations**

The CPA Members who attended the Forum found the information they gained during the event very valuable. The following action points for Parliamentarians to tackle corruption and strengthen integrity were noted:

- The need to research national legislation and how it integrates measures against anti-corruption.
- Encouraging companies to voluntarily adopt anticorruption guidelines when aiming to do business with governments, such as disclosing its owners and beneficiaries. It was noted that this was of particular importance especially in the area of procurement, since this was an area most at risk of corruption because of the scale and complexity of projects.
- Centralising certain functions of the public service.
- Seating Parliamentarians in the house by region and not by party, as this could improve transparency

and the productivity of parliamentary sittings by focusing on constituents and regions rather than party politics.

- Providing access to the 30-day records of any elected representative, including expenditure to determine what the electorate office budget has been spent on. This could also be implemented on a broader scale involving government.
- Considering informality and how it may help to develop better anti-corruption strategies. The nature of informal practices can tell us what official policies are missing, inform about resistances and hereby help to uncover pathways to strategic, sustainable reforms.

#### **Hon. Len Isleifson, MLA, Manitoba, Canada**

Hon. Len Isleifson has a background in customer service and business management. He has served on a number of workplace

committees including the Provider Advisory Council for Brandon Regional Health and Chair of the Prairie Mountain Health Environmental Green Team.

In 2010, he was elected to Brandon City Council and later chosen by his peers to serve as Acting Deputy Mayor and as Deputy Mayor. He also served as Chair of the Western Manitoba Centennial Auditorium Board of Governors, Co-chair of the Poverty Committee, and Vice-Chair of the Brandon Police Board. Hon. Len Isleifson was elected to the Legislative Assembly in 2016.

#### **Hon. Sandra Nelson, MLA, Northern Territory, Australia**

Hon. Sandra Nelson and her family left Timor in 1975 at the height of the civil war, and were granted permanent residency in Australia in 1977.

Hon. Sandra Nelson has served as an active duty soldier and worked in the transportation industry, before she moved on to local government work in Western Australia, assignments with the

United Nations and positions in the health and legal sector in Katherine, Northern Territory.

Her professional career has focused on community development, which included serving on community advisory panels that focused on domestic and family violence. Hon. Sandra Nelson was elected to the Legislative Assembly in 2016.

#### **Hon. Alando N. Terrelonge, LLB, MA, MP, Jamaica**

Hon. Alando N. Terrelonge attained his Law Degree with honours in 1988 at the University of the West Indies. He is a Member of the Jamaica Bar Association, the Legal Aid Panel and the National Council on Reparations.

In 2008, he was awarded a Chevening Scholarship and pursued his Master's Degree at the University of Warwick in International Relations. He later worked at the Think Tank, Fundacion Para las Relaciones Internacionales y el Dialogo Exterior (FRIDE), Madrid, Spain, on matters related to Democracy promotion and International Peace & Security.

Following the General Elections in Jamaica on 25 February 2016, Hon. Alando N. Terrelonge was elected to the Houses of Parliament as the Member for the governing Jamaica Labour Party for the Constituency of East Central Saint Catherine.

*The Commonwealth Parliamentary Association Headquarters Secretariat funded the attendance of the CPA Members listed to attend the 2017 OECD Global Anti-Corruption & Integrity Forum from 30-31 March 2017 in Paris, France. With thanks to CPA Members for their reports of the OECD Forum which contributed to this feature article. Edited by Anna Schuesterl, CPA Headquarters Secretariat.*



CPA Members from Manitoba, Canada; Northern Territory, Australia; and Jamaica who attended the 2017 OECD Global Anti-Corruption & Integrity Forum.





# PARLIAMENTARY MEDIA TRAINING ACCELERATES DEMOCRATIC PROCESSES

## CPA Technical Assistance Programme - Mauritius



**Glen Elmes, MP** is the State Member for Noosa in the Parliament of Queensland, Australia since 2006. Before entering politics, Glen Elmes had a successful career in commercial radio management which took him all over Queensland. In a varied parliamentary career, he has held various ministerial and shadow ministerial portfolios including Aboriginal and Torres Strait Islander and Multicultural Affairs; Police and Emergency Services; Climate Change and Sustainability. He is the Deputy Chair of the Integrity Ethics and Parliamentary Privileges Committee and a Member of the panel of Temporary Speakers.

I was honoured to be a part of the Commonwealth Parliamentary Association (CPA) Technical Assistance Programme (TAP) for the National Assembly of Mauritius in the CPA Africa Region in December 2016.

I never imagined that my 34 years' experience in regional and metropolitan Queensland radio, combined with more than ten years as a Member of the Queensland Parliament, would culminate in assisting the National Assembly of Mauritius and local media, to broadcast the country's parliamentary proceedings 'live' for the first time.

This historic milestone was not only a victory for democracy and parliamentary transparency in Mauritius but also a celebration of the application of modern technology in an island country off the East Coast of Africa. It was without doubt a truly humbling experience and a highlight of my career.

During a whirlwind three day residency, I delivered two workshops designed to inform and assist the 70 elected Members of the National Assembly, the Clerk of the Parliament, Mrs Safeena

Lotun Muhammad and her staff, in the lead up to the first 'live' (and ongoing) broadcasts. Additionally I conducted a third workshop tailored to the media contingent which included representatives from the national broadcaster, internet service providers and commercial radio and newspapers.

When preparing these presentations, I was struck by the remarkable likeness between the Queensland and Mauritian parliaments. Both are based on Westminster systems, are unicameral legislatures and similar in size; with Queensland supporting 89 elected members and Mauritius National Assembly, 70.



Based on these parallels I thought it was relevant to include in the presentation Queensland's experience of when live parliamentary broadcasts were introduced to the Legislative Assembly. During the workshops the proposed rules for the National Assembly of Mauritius, which had been meticulously and comprehensively drafted by the Clerk and her staff, were discussed in depth.

In principle, the rules for media access in the Queensland Parliament are based on the following principles:

- transparency and accountability of the Parliament;



Members of the National Assembly of Mauritius attending the workshops for the CPA Technical Assistance Programme.

- fair, accurate and balanced reporting of the proceedings of Parliament;
- respect for the privacy of members, staff and visitors to the Precinct; and the
- ability of Members and staff to carry out their duties on the Precinct without unreasonable impediment.

I also spoke about photography, television and radio broadcasting, and how important it is that what is broadcast reflects the correct context of the recording. The broadcast must also only be used for the purposes of fair and accurate reporting of proceedings, with the single objective of informing viewers and listeners about the work of the Legislative Assembly.

Of the more crucial pieces of information I shared is that broadcasts must not be used for:

- political party advertising or election campaigns;

- satire or ridicule;
- commercial sponsorship or commercial advertising.

With regard to the role of the Speaker, I advised that if the Speaker orders a remark be deleted from the Record of Proceedings, either at the time the remark was made or at a later time, then neither the Speaker's direction nor the proceedings relating to the matter, are to be rebroadcast.

Importantly the sale or license to use any photos or footage taken in the Assembly is to be subject to the same conditions that apply to fair and accurate reporting, for example a photo cannot be sold for the purpose of political advertising.

In Queensland, there are strict rules for camera operators (film and photography) in the Legislative Assembly Chamber and any breaches of such shall be determined by the Speaker and

penalties applied by the Speaker.

As is the case in any Parliament, rules evolve over time from unpredictable circumstances. I was pleased to share how two situations occurred in the Queensland Parliament which later became the subject of breaches. One involved the filming of a protest in the Public Gallery and the other was the filming of documents which belonged to a Member of Parliament.

During my visit I also had the honour of meeting Sir Anerood Jugnauth GCSK, KCMG, QC, MP, PC, and the Prime Minister of the Republic of Mauritius. This was followed by a lengthy meeting with the Hon. Nandcoomar Bodha, Minister of Public Infrastructure and Land Transport and who is the head of the Committee responsible for the introduction of the live broadcast initiative.

Subsequently I met with Hon. J. Franscisco Francois,

Parliamentary Secretary in the Prime Minister's National Development Unit, and we exchanged views on the general similarities between the Queensland and Mauritian legislatures.

Mauritius is a vibrant and successful multi-cultural society with a population of approximately 1.3 million people. It was a privilege to take part in the CPA Technical Assistance Programme and a delight to meet the staff and representatives of the Mauritius National Assembly and some of the residents of this country who are undoubtedly its greatest asset.

I would like to congratulate the Commonwealth Parliamentary Association for their enduring support of all Commonwealth countries, and dedication to peer-to-peer learning as a means to share and grow together.

### CPA Technical Assistance Programme - Mauritius

The CPA Technical Assistance Programme for the National Assembly of Mauritius was funded through the CPA Headquarters Secretariat. In keeping with the requirements of the CPA Revised Programme Strategy, all new Technical Assistance Programmes include a self-assessment of the Legislature against the *CPA Recommended Benchmarks for Democratic Legislatures* to gain a clearer understanding of the areas for development required. With the assistance of Glen Elmes, MP from the CPA Queensland Branch, *in-house* media training was provided to Members of the National Assembly of Mauritius. Additional components of the CPA Technical Assistance Programme for Mauritius will deliver training and capacity building for Members of the Public Accounts Committee (PAC), assistance to deliver a programme for Commonwealth Day and, following the launch of the parliamentary gender caucus (see page 141), gender caucusing training. **For further information about the range of CPA Technical Assistance Programmes available please contact the CPA Headquarters Secretariat via [hq.sec@cpahq.org](mailto:hq.sec@cpahq.org).**





# ESTABLISHING A PARLIAMENTARY GENDER CAUCUS

The National Assembly of Mauritius joins a number of other Commonwealth Parliaments and globally over 80 Parliaments and Legislatures in establishing a gender caucus to advance democratic governance.



**Hon. Santi Bai Hanoomanjee, GCSK** is the Speaker of the National Assembly of Mauritius, and the first woman to hold the position. Hon. Santi Bai Hanoomanjee spent 33 years in the civil service, before being elected as a Member of Parliament in July 2005, until her appointment as Speaker in December 2014. She was also Minister of Health from May 2010-July 2011. In August 2015, Hon. Santi Bai Hanoomanjee was elected President of the CPA Africa Region.

It is with a deep sense of pride and satisfaction that I contribute an article to this issue of *The Parliamentarian* on the official launching of the Parliamentary Gender Caucus of Mauritius in March of this year, which heralded a new chapter in the history of Parliamentary democracy on the island of Mauritius.

Gender equality has, for some time, been on the agenda in a number of high-level international meetings, and there is substantial and widely available evidence that gender equality can be a catalyst for more inclusive and progressive human development and good governance.

As stated by the Rt Hon. Don McKinnon, former Commonwealth Secretary-General: *"Gender equality is viewed not only as a goal in its own right but also as a key factor in enhancing democracy and peace, eradicating poverty and violence."*

For too many of us still, when speaking of gender equality, the first thing that comes to mind is the protection of women. However, the protection of women constitutes just one component, albeit an essential

one, to be considered when looking to achieve gender equality in our societies.

In fact, gender equality is achieved when women and men enjoy the same rights and opportunities across all sectors of society, including economic participation and decision making, and when the different behaviours, aspirations and needs of women and men are equally valued and favoured.

Gender equality is measured by looking at the representation of men and women in a range of roles. Thus, the concept of gender equality deals with the establishment of parity and our target should be to reach a level playing field for women and men.

The quest for development, democracy and peace is a legitimate aspiration of the people. Indeed, democracy, wealth, prosperity and opportunity for all, irrespective of gender, are tangible measures of the level of development of a nation.

For some time, Mauritius has had a dedicated Ministry which aims to advance the cause of gender equality, and has taken a number of laudable initiatives in pursuit

of those aims, notably with the Gender Unit which aims to conduct oversight, coordination, monitoring and evaluation of

**"For too many of us still, when speaking of gender equality, the first thing that comes to mind is the protection of women. However, the protection of women constitutes just one component, albeit an essential one, to be considered when looking to achieve gender equality in our societies."**

## National Assembly of Mauritius joins other Commonwealth Parliaments in establishing a gender caucus to advance democratic governance

On 20 March 2017, the National Assembly of Mauritius launched their new Parliamentary Gender Caucus aimed at promoting gender equality in Parliament.

The new Parliamentary Gender Caucus in Mauritius will be a permanent structure established at the Parliamentary level, and shall seek to provide a platform for Members of all political parties to discuss and advocate for gender equality. The caucus was officially launched by the Speaker of the National Assembly in Port Louis, in the presence of Ministers and Members of Parliament.

Also present at the launch were:

- Secretary-General of the Commonwealth Parliamentary Association, Mr Akbar Khan;
- Hon. Mrs Esperance Mwiza, MP from the Parliament of Rwanda, Deputy Chairperson of the Standing Committee on National Unity, Human Rights and Fight against Genocide and Member of the Rwanda Women's Parliamentary Forum, and;
- Mr Simon Springett, United Nations Resident Coordinator and UNDP Resident Representative for Mauritius and Seychelles.

In launching the first Parliamentary Gender Caucus, Hon. Mrs Santi Bai Hanoomanjee, G.C.S.K, Speaker of the National Assembly of Mauritius and President of the Commonwealth Parliamentary Association Africa Region highlighted the role of gender equality in achieving an inclusive and progressive society and promoting good governance.

Hon. Speaker Hanoomanjee, specifically stated during the launch that: *"The quest for development, democracy and peace is a legitimate aspiration of the people. Indeed, democracy, wealth, prosperity and opportunity for all, irrespective of gender, are tangible measures of the level of development of a nation. Gender caucuses worldwide have common interest. They share a common platform, they are well motivated and they rise above political affiliations in their fight for a common cause."*

As guest of honour at the launch Mr Akbar Khan, Secretary-General of the Commonwealth Parliamentary Association (CPA), spoke of the need for gender equality in parliaments.



*"The Commonwealth Parliamentary Association is delighted that the National Assembly of Mauritius has established a formal Parliamentary Gender Caucus to identify priorities that need to be addressed from a gender perspective and to ensure parliamentary oversight on issues pertaining to gender equality are being realised through the National Assembly."*

*"I congratulate Hon. Santi Bai Hanoomanjee, Speaker of the National Assembly of Mauritius on her personal leadership and determination to promote gender equality through the establishment of the Parliamentary Gender Caucus which provides a catalyst for the promotion of gender equality across the democratic institutions in Mauritius and also for the implementation of the 2015 Sustainable Development Agenda. The establishment of gender caucuses is a vital ingredient in bringing greater equality between men and women in the daily operations of parliament as a democratic institution. The Commonwealth Parliamentary Association, through the Commonwealth Women Parliamentarians (CWP) network, is committed to promoting gender equality in Parliaments and increasing the representation of women in leadership roles."*

The National Assembly of Mauritius joins a number of other Commonwealth Parliaments and globally over 80 Legislatures in establishing a gender caucus to advance democratic governance.

The Commonwealth Parliamentary Association will be supporting the new Parliamentary Gender Caucus as part of the CPA's Technical Assistance Programme for the National Assembly of Mauritius.

The Commonwealth Parliamentary Association, through the Commonwealth Women Parliamentarians (CWP) network and similar parliamentary gender caucuses, provides a means of building the capacity of women elected to parliament to be more effective in their roles; improving the awareness and ability of all Parliamentarians, male and female, and encouraging them to include a gender perspective in all aspects of their role - legislation, oversight and representation and helping parliaments to become gender-sensitive institutions.







Port Louis, Mauritius

gender mainstreaming policies, strategies and programmes at national level.

Nonetheless, when I was elected Speaker of the National Assembly and having been a Member of Parliament for 10 years, I felt that Parliament could itself be much more proactive in furthering the concept of gender equality with a more active participation of all Parliamentarians regardless of political allegiance and persuasion.

The very idea of establishing a Parliamentary Gender Caucus originally followed my participation at two International Parliamentary Conferences in 2015, at which gender was high on the respective agendas. The debates held at these conferences was concerned with precisely how parliaments

and Parliamentarians could and should work towards achieving gender equality.

One of the conclusions reached was that an effective way to do so was through the establishment of parliamentary infrastructures in the form of a gender equality caucus, or a dedicated committee or advisory committee.

I noted that Mauritius was one of the few countries which did not have such necessary mechanisms and infrastructures.

Hence, in January last year, a group of Parliamentarians, under my initiative, delegated from their respective political leaders met under my Chairpersonship. I thank these colleagues enormously for having promptly given their unconditional time and support to the initiative.

A two-day working session

was held with a Gender Expert funded by UNDP, whose mission was to formulate a strategic framework for the setting up of a gender caucus. Again I must take the time here to extend a special word of gratitude to Mr Simon Springett of the UNDP who was our privileged partner throughout the entire exercise.

From the outset the working session met with resounding success and all the participants clearly demonstrated their enthusiasm for the project which was unanimously welcomed.

Already at that very early stage there was unanimous recognition that the Caucus should be established as a permanent body in our parliamentary set up.

The US Embassy, which was also extremely supportive of the initiative, funded a mission for

a delegation of two members of the Consultative Committee and myself for bench marking purposes in the United States. During our meetings we met with the members of the National Democratic Institute who advised us that in order to ensure the effectiveness and sustainability of a Caucus, it was essential that the entire process be well reflected, debated and understood by Parliamentarians as well as NGOs prior to its launch.

Two Gender Experts from the NDI fielded a mission in October 2016, when three Awareness Raising Sessions were held with Hon. Ministers and Hon. Members, Gender Focal Points of respective ministries and members of leading Civil Society Organisations and NGOs.

It has been made clear that the intention was to work together

**“By incorporating the caucus in our Standing Orders as a permanent committee, we are first of all ensuring perpetuity. Moreover, we have opted for a formal as opposed to an informal caucus. A formal caucus has, by its nature, a formal relationship with Parliament. Having been legitimized, it enjoys visibility in and outside Parliament and greater attention when it voices its opinion.”**

with all parties concerned with addressing gender equality in the various aspects of legislation and policy crafting and implementation processes.

The point was also made that the mandate of the caucus would be as follows:

- To conduct periodically gender assessments of various policies across Ministries;
- To conduct research on salient gender issues and provide the findings to relevant Ministries;
- To influence policies sufficient that they seek to



address gender inequalities;

- To request Gender Focal Points to report periodically on activities aligned to gender mainstreaming strategies.

It was further emphasized that the caucus will closely cooperate with stakeholders for the promotion of gender equality in public policy.

Gender caucuses worldwide have common interests, and share a common platform. They are well-motivated and well-intentioned, and they traditionally rise above political affiliations in their fight for a common cause.

However, each country has its own local context. Different models are tailored depending on the historical, political, social, economic, and cultural factors.

Accordingly, there can be no one-size-fits-all approach when establishing a national, or indeed sub-national, gender caucus.

By incorporating the caucus in our Standing Orders as a permanent committee, we are first of all ensuring perpetuity. Moreover, we have opted for a formal as opposed to an informal caucus. A formal caucus has, by its nature, a formal relationship with Parliament. Having been

legitimized, it enjoys visibility in and outside Parliament and greater attention when it voices its opinion.

Whilst the benefits of such a formal caucus are many, I wish to make specific mention of two of them:

- (i) Firstly, the cross-party nature of the caucus means that all Parliamentarians can pool their effort together for gender parity; and;
- (ii) Secondly, constraints and obstacles in the different spheres will be easily detected and MPs will have the opportunity to find ways and means of overcoming them.

I have, over the course of this article, set out the different steps we have followed before setting up the caucus. More important is that, throughout this process, everything that we have done and achieved has followed detailed consultations with our various stakeholders.

Before concluding I therefore consider it my utmost duty to express my gratitude to the then Rt Hon. Prime Minister, now Minister Mentor, Minister of Defence and Rodrigues, Sir Anerood Jugnauth, GCSK, KCMG, QC for having

**Above: Ministers and Members of Parliament in Mauritius at the launch of the new Parliamentary Gender Caucus aimed at promoting gender equality in Parliament. The caucus was officially launched by the Speaker of the National Assembly in Port Louis.**

unhesitatingly agreed to act diligently in bringing the two relevant motions to amend the Standing Orders to the House to make provision for the caucus.

My thanks also go to the Hon. Prime Minister and Minister of Finance, Hon. Pravind Kumar Jugnauth for making funds available to the caucus so that it may begin to undertake its activities at the earliest opportunity.

Last but not least, I would like to thank the members of the consultative working group for their active participation and support, throughout and Mrs Mohini Bali, Head of the Gender Unit, of the Ministry of Gender Equality, Child Development and Family Welfare for her unfailing support and advice in this venture.







# TRADE AS A VEHICLE OF SOCIAL PROGRESS: THE GENDER PERSPECTIVE

Annual session of the Parliamentary Conference on the WTO on the theme of 'What future for the WTO?' held in Geneva, Switzerland.



**Hon. Dr Dato' Noraini Ahmad, MP** is the Commonwealth Women Parliamentarians (CWP) Chairperson since December 2016. A Member of the Federal Parliament of Malaysia and Chair of the Malaysia External Trade Development Corporation (MATRADE), she was elected to Parliament in 2008. In 2013, she was announced as the first female chair of MATRADE, the Malaysia External Trade Development Corporation, whilst also being appointed to the board of the advisory committee to the Malaysian Anti-Corruption Agency.

Let me start by putting things in perspective:

- Over one billion women live in the Commonwealth and women's businesses contributed over 20% of world trade.
- Women as Entrepreneurs:* Across developing countries, it is estimated that almost 37% (around 8 to 10 million) females own SMEs (Small to Medium Enterprises). These firms represent a significant share of global employment.
- Women as Employees:* Women make up 40% of the global workforce today. Many of the sectors that are critical for economic growth in some of poorest countries rely heavily on women employees.
- Women as Consumers:* The financial power of women is expanding at its fastest rate compared to any other time, centred in emerging economies. Female global consumer spending accounted for USD \$28 trillion in 2014.
- Women as Stakeholders:* Women take on leading roles in their communities as partner of business and government.

Gender is a key factor in the complex relationship between trade, growth and development – and yet there is a widespread assumption that trade policies and agreements are class, race and gender neutral. This points to the crucial need to ensure that trade liberalisation does not undermine women's rights and poor people's livelihoods, and supports the gender equality agenda.

First and foremost, this requires the explicit recognition of women's contribution to the economy through both their productive and their unpaid reproductive work.

Trade as an activity of economic exchange has a long history that far precedes its regulation within World Trade Organization (WTO) rules that we see today.

Trade liberalisation entails the reduction of barriers to trade, such as import tariffs, in order to promote international trade and competition. While the conventional wisdom simply assumed that trade liberalisation was itself the key factor that would automatically ensure the growth and development of poor countries, there is an emerging consensus that trade

**“Analysis of the gendered impacts of trade agreements underscores the critical links between trade and both the production and reproduction spheres. Moreover, as trade has an impact on gender equality, underlying gender inequality may have a decisive impact on the outcomes of trade policies by limiting productivity, output and growth.”**



Hon. Dr Dato' Noraini Ahmad, MP (Malaysia) represented the Commonwealth Parliamentary Association on the conference panel for the gender workshop of the Annual Session of the Parliamentary Conference on the WTO in Geneva in June 2016.

liberalisation does not always reduce poverty and often increases inequality.

Analysis of the gendered impacts of trade agreements underscores the critical links between trade and both the production and reproduction spheres. Moreover, as trade has an impact on gender equality, underlying gender inequality may have a decisive impact on the outcomes of trade policies by limiting productivity, output and growth.

## Approaches to gender and trade

The human rights approach has also provided a strategic entry point for gender advocates in governments, civil society and donor agencies to promote gender equality in and through trade.

However, the human rights approach is not always gendered and must be

understood in conjunction with the gender and development (GAD) approach developed by gender advocates in civil society, government and donor agencies in the late 1990s. The GAD approach seeks to understand the gender roles and relations of unequal power which influence the impacts of and responses to trade – including the role of social reproduction. It is also argued that there should be the development of an alternative, political economy approach, which puts rights and understandings of gender and other power inequalities in the wider global context of developed and developing countries.

## The gendered impacts of trade

Trade policies affect men and women differently due to gender inequalities in access to and control of economic and social

resources and decision-making.

Their impact is also mediated by the different roles that men and women have within societies – in particular, the gendered division of labour. Trade liberalisation has no doubt led to an increase in employment opportunities for women – particularly in export-oriented sectors such as textiles. Earning an income externally to the household can lead to greater empowerment for women, both in the home and in the wider community.

However, trade liberalisation can also lead to unemployment and the restructuring of labour markets – a situation that tends to affect poor and marginalised groups of women more than men. In fact, occupational and wage segregation is widening and bad working conditions are rife in many export industries. The need for flexible workers to respond to market fluctuations

has led to a rise in the numbers of informal sector workers, of which a high percentage are women.

## Work to date on gender and trade

At the macro level, women advocates in organisations like the International Gender and Trade Network (IGTN), Women in Development Europe (WIDE) and the Women's Edge Coalition have used impact analysis tools to lever gender considerations into trade agreements.

Research tools such as value chain analysis, which examines the different value ascribed to each player in the process of producing a commodity, have also been used by national actors, researchers and non-governmental organisations (NGOs) to help understand the links between trade and gender inequality.

Some donor agencies,





for example, the Canadian International Development Agency (CIDA), have developed trade-related capacity building (TRCB) initiatives that include a gender component,

**“The participation of women and gender experts in trade policy-making and negotiation processes should be promoted at all levels, and multi-stakeholder mechanisms should be established to reorient the trade agenda in support of a pro-poor and gender-aware development framework.”**

and multilateral agencies such as the International Labour Organization (ILO) have implemented gender mainstreaming policies in their activities to strengthen the rights of workers.

The ILO, the International Finance Corporation (IFC) and the International Trade Centre (ITC) are all involved in measures to promote women's entrepreneurship and support their entry into international markets. There are also associations of businesswomen being established in many countries to support networking, training and market access.

There have been calls for a rights-based and political economy approach to gender and trade issues with the recommendations being:

- Greater coherence is needed between the macroeconomic environments and processes at the national, sectoral, and micro levels, as well as between trade agreements and other international conventions and commitments to human rights, development and gender equality.

- Gender analysis and perspectives should be systematically integrated into the trade policies of national governments and into TRCB programmes of international finance institutions (IFIs), bilateral donors and intergovernmental organisations.
- The existing mechanisms (under, for example, the Millennium Development Goals (MDGs), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Trade Policy Review Mechanism (TPRM) processes) and tools (such as Sustainable Impact Assessments (SIAs), Gender Trade Impact Assessments (GTIAs) and Poverty and Social Impact Analysis (PSIAs)) should be used to monitor the gendered impacts of trade policies and agreements and to hold governments accountable for their commitments to gender equality and women's empowerment.
- The participation of women

and gender experts in trade policy-making and negotiation processes should be promoted at all levels, and multi-stakeholder mechanisms should be established to reorient the trade agenda in support of a pro-poor and gender-aware development framework.

- There is also a need to build on the momentum created by the global mobilisation against poverty – most notably around the MDGs – along with the opportunities offered by the DDA and the growing public support for fairer trade regimes (as evidenced in the ongoing debate over agricultural subsidies) and the increased participation of civil society and other stakeholders in trade arenas.
- Multi-faceted and multi-level strategies, as well as strategic alliances between gender equality advocates and key stakeholders, should be developed to address the multiple dimensions of gender and trade issues at the macro, meso and micro levels in the different arenas.



### Conclusion

Recent experiences in trade liberalization and their impacts on gender equality thus make a strong case for the need to incorporate gender perspectives into overall trade policy design and implementation.

Incorporating (mainstreaming) gender considerations in trade policy means assessing the impacts of such policy on the wellbeing of men and women, evaluating how trade policies affect gender relations, for example by widening or closing the gender wage gap, and formulating and implementing trade policy in a gender-sensitive manner. This is done with a view to:

- better understanding the specific challenges and opportunities that women and men face from trade policy;
- designing and implementing trade and other macro-economic policies to maximize opportunities for all;

- facilitating the successful integration of women into more technologically advanced and dynamic sectors of the economy;
- avoiding the increase of gender disparities and mitigating the existing; and
- facilitating women's empowerment and well-being.

Different policy measures in trade and other areas of economics provide specific entry points to mainstream gender issues in international trade. Specific instruments that could be explored include the women-based multilateral liberalization initiative i.e. the reduction of tariffs on intermediate inputs in productive sectors with high female employment. Apart from that, multilateral development assistance frameworks, such as Aid for Trade (Aft) under the WTO should be further maximised.

As trade policies interact and are mutually affected by many other domestic policies and international factors, there is a need for overall coherence in order to achieve development goals. For this to happen, several coordinated and gender-sensitive policies are needed in areas such as fiscal policies, education, labor, training, innovation, financing, to mention a few.

*This address was given as part of the gender panel discussion on 'Trade as a vehicle of social progress: The gender perspective' where Hon. Dr Dato' Noraini Ahmad, MP (Malaysia) represented the Commonwealth Parliamentary Association (CPA) at the 2016 annual session of the Parliamentary Conference on the WTO "What future for the WTO?" held in Geneva, Switzerland from 13-14 June 2016, organised jointly by the Inter-Parliamentary Union and the European Parliament.*

**Above: Panelists at the gender workshop of the Annual Session of the Parliamentary Conference on the WTO on 'Trade as a vehicle of social progress: The gender perspective'. Left to right: Senator Azam Swat (Pakistan); Hon. Dr Dato' Noraini Ahmad, MP (Malaysia) representing the Commonwealth Parliamentary Association; Ms. Inmaculada Rodríguez-Piñero Fernández, Member of the European Parliament (Session Moderator); Ms. Helena Halldorf-Romero, European Parliament; Ms. Nurhayati Ali Assegaf, MP (Indonesia); Ms. Arancha González, Executive Director, International Trade Centre.**







# LEGISLATING EFFECTIVELY TO PROTECT WOMEN FROM POLITICAL VIOLENCE

Parliament must promote good practice in legislating to protect women from political violence and work with Parliaments across the Commonwealth to raise awareness of women's issues.



**Dr Roberta Blackman-Woods, MP** is a British Labour Party politician who has been the Member of Parliament for the City of Durham since 2005. She has held several roles in the Shadow Cabinet including Shadow Minister for Business, Shadow Minister in Communities and Local Government and Shadow Housing Minister. Dr Roberta Blackman-Woods has been involved in the Commonwealth Parliamentary Association and Commonwealth Women Parliamentarians for a number of years and has held various positions in both organisations at a UK and International level.

## What is Political Violence?

Political violence against women has been defined in a UN Women report as *"the connotation of any act of violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women politicians, including threat of such acts, coercion or arbitrary deprivation of liberty in public or private life."*

However violence against women in politics may not simply refer to violent acts towards female Parliamentarians. Female activists and voters have been increasingly subjected to harassment and abuse for simply participating in political activities. Although it is positive that women are becoming more politically active, the negative outcome is that violence against women in politics is also becoming more prevalent.

Whilst any form of violence against women needs to be stopped, violence against women in politics is a powerful method of silencing women's voices and denying them of their civil and political rights. It deters women from getting involved in politics and thus entrenches

their position in society and thus the systematic violence against them. Gender-based political violence further traps women in a cycle of violence.

As you may be aware, the 16 Days of Activism against Gender-Based Violence campaign, launched on 25 November 2016, or the International Day for the Elimination of Violence against Women, has taken place. In addition, the UN Special Rapporteur on Violence against Women has recently decided to include violence against women in politics as one of her priorities for the future.

Many NGOs and human rights organisations take part in prominent global campaigns like these to raise awareness of the extent of the violence that women face throughout their lives. However, due to their high profile roles in public office, their political opinions or their ability to challenge the status quo in society, women who are active in politics face even higher levels of violence including threats, abuse, harassment, coercion, imprisonment, sexual attacks or can even be killed. It

**"Whilst any form of violence against women needs to be stopped, violence against women in politics is a powerful method of silencing women's voices and denying them of their civil and political rights. It deters women from getting involved in politics and thus entrenches their position in society and thus the systematic violence against them."**



Dr Roberta Blackman-Woods delivered this address as a discussion leader at a workshop on 'Legislating effectively to protect Women from Political Violence' at the 5<sup>th</sup> triennial Commonwealth Women Parliamentarians (CWP) Conference in December 2016.

is quite shocking to think that some of us here attending this Conference may have been subject to this political violence.

More needs to be done to protect women from political violence. We cannot pretend that it is simply just part of political life and tolerate these violent actions. Legislation to protect women is in place in many nations. Men and women have the same human rights, and gender equality laws do exist in many countries, however it is an issue of implementation rather than one of legislation.

Therefore, we must raise awareness of the manifestation and scale of this violence in order to stop it and, in doing so, we will then be able to legislate more effectively across the Commonwealth to protect women from political violence. In addition, if we fail to tackle violence against women in one of its most high profile

manifestations, then it may normalise violence against women more generally.

## Increasing the number of women in Parliaments

As you may know, it is one of the goals of the Commonwealth Women Parliamentarians (CWP) to increase the number of female Parliamentarians. This is because we believe that by getting more women involved in the legislative process, legislation will be created with a more balanced gender perspective.

Parliaments should be more inclusive and equal in terms of gender. This will change the political culture and cause a different range of issues to become a priority for the Parliament. An increase in the number of female Parliamentarians across the Commonwealth would play a huge role in ending not only

political violence, but violence against women as a whole.

While Rwanda now has the highest number of female Parliamentarians, even outnumbering men, we still have a long way to go to increase the number of women in Parliaments across the rest of the Commonwealth. The world average percentage of women in National Parliaments, as calculated by the IPU at the end of 2015, was just over 22%. Even within the UK, there are only currently 195 female MPs out of a possible 650 MPs – this is just 30%. Half of the world's population are female, so why are women still so underrepresented in Parliaments around the world?

When you start trying to answer this question, it is understandable that women are reluctant to stand for office when they hear the stories of female Parliamentarians or

activists who face harassment, discrimination or even violent attacks on a daily basis. Female parliamentarians change the culture of our legislatures, and thus work towards improving the lives of women all over the world, however, it is hard to recruit more politically active women when many existing ones do not feel safe in their own jobs.

Research done by *Krook and Sanin* in 2016 showed how political violence directed at women *"is distinct from violence in politics, seeking to prevent women's participation as women."* We need to work together across the Commonwealth to stop the violence towards women in politics, ensure that we introduce safeguards and protections for women to protect them from the risks they face by participating politically and to inspire others to get into public life in the first place.







### Examples from the UK

Political violence against women is a major issue yet it is rarely addressed in public life. However, women Parliamentarians, just like us, have increasingly been using their public platforms to explain the risks they face.

In December 2016, I spoke at a CPA UK and ActionAid event at Speaker's House on what the CPA and CWP were doing to end violence against women and girls. Yet simultaneously, a backbench business debate was taking place inside the House of Commons Chamber on this same issue. Many of my colleagues in Parliament used this opportunity to mention the abuse that they have suffered since becoming active in political life.

Many have been subject to vitriolic online abuse, such as my colleague UK Member Jess Phillips MP, who had received more than 600 rape threats in one night. In recent weeks, there have even been a few cases where men have been arrested for their abusive words on the internet towards MPs and other politically active women. For example, the man who harassed and sent cruel messages to Luciana Berger MP has recently

been jailed for two years.

It is with great sadness that I also think of my dear friend Jo Cox MP, who was violently murdered in June 2016 while out campaigning in her constituency. In these recent instances, those who committed violent words and actions against women in politics were punished for their crimes. However, this is not true in many parts of the world, where women are put off even entering the political sphere in fear of what may happen to them.

### Examples from the Commonwealth and beyond

Violence against women in politics can undermine democracy by denying women the chance to make their voices heard. The reporting of Hillary Clinton and the abuse directed towards her by her rivals in the US Presidential campaign in 2016 shows how mainstream this abusive and violent behaviour has become in democratic nations.

IPU research found out that over 40% of female MPs from 39 countries have received threats of kidnap, assault, rape, death, or even the abduction of their children while in office.

The same research found that one-fifth of MPs reported being subjected to sexual violence. In many countries, statistics on violence against women in politics are unavailable as much of the violence goes unreported. In Nigeria, women can often face violence as a result of their relationships, rather than their own political participation. The violent and patriarchal nature of Nigerian politics can mean that even the least political involved women can suffer from political violence simply due to their social connections to a political candidate.

### Working with other nations

There are some steps we need to take in order to legislate effectively to protect women from political violence. The recommendation I have put forward is that *"Parliament must promote good practice in legislating to protect women from political violence and work with Parliaments across the Commonwealth to raise awareness of women's issues."*

First and foremost I believe that it is crucial that Parliamentarians across the Commonwealth work together to end this widespread violence against women in politics. As previously mentioned, political violence against women is a global issue, yet it manifests itself differently within different states, cultures and political systems, and therefore it requires all of us to collaborate to bring about real change.

Events, such as this, bring female Parliamentarians together from all over the Commonwealth, to discuss ideas and share issues we have overcome when we tackle this pressing issue. Also, laws must be passed across the world to change the culture and perception of political violence and to ensure that violence against women is seen as a

crime that will not be accepted.

The first half of my recommendation, *that Parliament must promote good practice in legislating to protect women from political violence*, suggests that we will all need to work together to set a framework on women's rights. Parliament should set an example for other international legislatures by clarifying what needs to be done to protect women from political violence and then actually

**"First and foremost I believe that it is crucial that Parliamentarians across the Commonwealth work together to end this widespread violence against women in politics. As previously mentioned, political violence against women is a global issue, yet it manifests itself differently within different states, cultures and political systems, and therefore it requires all of us to collaborate to bring about real change."**

introducing these measures themselves. Parliaments should be able to take inspiration from each other on how to tackle political violence against women, and then promote international co-operation to ensure that this goal is achieved worldwide.

In the UK Parliament, there will be a debate on a Bill requiring the UK Parliament to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, otherwise known as the Istanbul Convention. UN Women described this far-reaching European Treaty as a *'gold standard'*, as it provides unprecedented protections for women and girls.

The UK signed the Istanbul Convention in June 2012, yet has failed to ratify it formally. The Convention has already been ratified by 22 countries, who are also members of the Council of Europe. The Convention provides unprecedented levels of protection for women and requires the Government to introduce measures to prevent and eliminate all forms of violence against women, including domestic violence. Article 12, within the chapter on prevention, includes the line *"Parties shall ensure that culture, custom, religion, tradition or so-called 'honour' shall not be considered as justification for any acts of violence covered by the scope of this Convention."*

The Convention not only establishes fundamental rights, equality and non-discriminatory legislation, but also includes policies to implement particular laws and a commitment to data collection and monitoring to make sure that the legislation is effective and that the financial resources are there to back the legislation. Within the Convention, there is also a requirement that we need to take steps to empower women.



This includes working with boys and men, challenging cultures, and eradicating prejudices, customs and other practices that are based on the idea of the inferiority of women.

Ratification of this Convention would legally require the UK to raise awareness of the issue through education and prevention and treatment programmes, train professionals to deal with victims or perpetrators and to implement a variety of measures to support women who have been subjected to gender-based violence, such as setting up specialist support centres. The convention also seeks to tackle media perceptions and practices that are harmful to women.

Many support services for women are at risk due to Government cuts, however they would be protected if the Istanbul Convention was ratified. The UK Government would be legally obligated to ensure that all women have the support they need to recover from violence. The legal framework set out in this convention would confirm the UK's commitment to end gender-based violence, treating

these violent acts as crimes that are unacceptable.

I can only hope that the UK Parliament decides to show their commitment to women's rights by agreeing to ratify the necessary and ground-breaking Istanbul Convention.

International treaties, such as this one, highlight the minimum levels of protections that are required for women, prioritise the key issues that need to be addressed and provide a clear framework on Women's rights which can then be adopted by countries across the world. Although passing legislation is a step in the right direction, legislation on its own is not enough. Therefore, Parliaments must also review how their legislation is being implemented over time and provide the necessary funding to implement their laws, otherwise the well-meaning legislation will do nothing to protect women from political violence. This is why the Istanbul Convention contains within it the requirement that Governments must monitor the implementation of the Convention.

In addition, legislation will only

be effective if it remains relevant. As political violence against women continues to evolve over time, frequent reviews of existing legislation will be necessary in case further laws need to be introduced to tackle new manifestations of violence.

The Commonwealth values itself as *"a compelling force for good and as an effective network for co-operation and for promoting development."*

Therefore in our role as Commonwealth Women Parliamentarians, we must be this force for good and work with each other, as well as NGOs and women's rights organisations to raise awareness of the issues that women face on a daily basis and introduce effective legislation to protect women from political violence.

*Dr Roberta Blackman-Woods delivered this address as a discussion leader at a workshop on 'Legislating effectively to protect Women from Political Violence' at the 5th triennial Commonwealth Women Parliamentarians (CWP) Conference in December 2016.*







# CELEBRATING 100 YEARS OF WOMEN AND THE VOTE IN BRITISH COLUMBIA, CANADA

A special exhibition at the Legislative Assembly of British Columbia, Canada.



**Hon. Linda Reid, MLA** has served as Speaker of the Legislative Assembly of British Columbia, Canada since her election to the position in June 2013. Previously, she served as Deputy Speaker from 2009 to 2013. Hon. Linda Reid served as Minister responsible for early childhood development and child care. First elected as a Member of British Columbia's Legislative Assembly in 1991, Hon. Reid is British Columbia's longest-serving current MLA.

*the vote hasn't solved all  
but it's a measure of worth  
it's a voice  
it's a light*

Zoe Duhaime, 'One Hundred  
Candle Bonfire'

In 2017, British Columbia is marking an important centennial celebration and milestone for women's rights – 100 years since women who qualified as British subjects received the right to vote and run for provincial office. Other women and men, including from First Nations and other racial, cultural and religious groups, continued their struggle for recognition, with the attainment of universal suffrage accomplished in British

Columbia 35 years later in 1952.

Over the last century, British Columbians have been fortunate to be represented by a remarkable number of women politicians. Both women and men have benefited from the attention and change they brought and continue to bring to a range of issues.

In honour of this celebration, the Legislative Assembly of British Columbia held a new exhibition, '100 Years of Women and the Vote', highlighting significant 'firsts' for women elected to the Legislative Assembly. These women and their accomplishments symbolize the broader contributions women have made and continue to make to public

life – contributions which would not have been possible without the persistence and success of the suffrage movement.

The list of women includes Mary Ellen Smith, the first woman elected to the Legislative Assembly in 1918. She served for ten years and was an early advocate for women, children and the underprivileged. She famously declared she could fight just as hard as any other Honourable member when necessary and if anyone tried to intimidate her, she was "prepared to go to the mat with him."

In 1950, Nancy Hodges became the first woman Speaker in the Commonwealth, and in 1953, the first woman from British Columbia appointed to serve in the Senate of Canada. Ms Hodges campaigned for the rights of women workers and women's property rights. When asked



Left and right: The 100 Years of Women and the Vote exhibit at the Legislative Assembly of British Columbia.



Above: The 32 women Members of the Legislative Assembly of British Columbia. British Columbia currently has the highest percentage of elected women Members in Canada.

about her appointment to the Senate, she humbly said: "I feel the appointment is a tribute to the women of British Columbia rather than any personal honour to me."

In 1952, Tilly Rolston was appointed as British Columbia's first woman cabinet minister with a portfolio. She reminded women that they "constitute fifty-two percent of the voters' list in this province. They have a great

deal of power, and they should use it to elect an honest, sound government."

The list also includes Rosemary Brown, who in 1972 became the first black woman elected to a provincial legislature in Canada. Ms Brown fought for social justice and equality for women and minorities, and saw "the political arena as one of the important theatres in which the struggles against inequality take

place." While acknowledging the challenges women face in politics, she also noted that "electoral politics touches our lives in a sufficient number of profound ways that no matter what the cost, it cries out for the presence and involvement of woman."

The list goes on. British Columbia now boasts the largest proportion of women MLAs in Canada and elected its first women Premier, Hon. Christy Clark, in 2013. Just this year, Melanie Mark became the first First Nations woman elected to the Legislative Assembly.

British Columbia, as with the rest of Canada, has made great progress for women's representation and participation in the political sphere. However, further work remains. As British Columbians reflect on the success and accomplishments of women politicians thus far, the goal is to empower more young

women to become engaged in and transform their communities, and to keep shattering glass ceilings on the road to a new set of accomplishments.

*I dream of the day when the only running women do is for office. That my daughters will know a world where the only glass ceilings are in green houses.*  
Hannah Berry, 'Daughters of Glass'

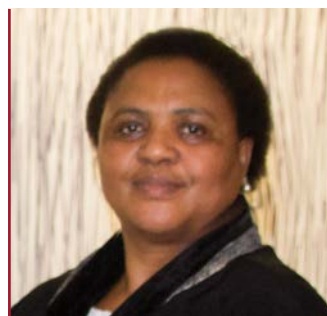






# INCREASING WOMEN'S PARTICIPATION AND REPRESENTATION IN PARLIAMENT

Reflections on women's political participation.



**Hon. Angela Thoko Didiza, MP** is a former Minister of Agriculture and Land Affairs (1999) and Minister of Public Works (2006) in the South African Government. When President Thabo Mbeki was ousted as President in 2008, she was one of the ten Ministers that resigned. She was selected as one of the Young Global Leaders by the Forum of Young Global Leaders in 2004. She is currently a Project Consultant for the Archie Mafeje Research Institute at the University of South Africa. She is also the Chairperson of the CPA Africa Region's Commonwealth Women Parliamentarians (CWP) Steering Committee. She has a wealth of expertise on raising the profile of women in political institutions.

During the past few days, you have deliberated on critical issues that are essential for a functional parliament. You have acquired tools that will enable you to become better public representatives. During these deliberations Honourable Members, I noted that you reflected on the challenges of women in society and as Parliamentarians.

In preparing for this presentation I thought it necessary to remind all of us that in 1989, women delegates at the CPA plenary conference noted that women continue to be disproportionately represented in Parliaments and Legislatures. Therefore, they resolved to constitute a forum of women Parliamentarians who would meet and address ways to address women's concerns as well as develop strategies for increasing women's representation in Parliaments. The forum which was later known as the Commonwealth Women Parliamentarians (CWP) was formally recognised by the CPA in its constitutional structure.

You will agree with me that the issue of women's participation and representation

in decision making structures is not new. It has defined women's struggles over the years. However, questions to this day are being asked as to the difference that women make in parliament and the need for increased numbers.

In trying to answer this question I found some pointers in the words of one woman Parliamentarian from Uganda who said: *"For the first-time women became a subject of discussion which was not the case before. Women became an issue in the public space. They started highlighting issues that affect them as women and proposed what they would want to amend for their economic empowerment. The women in Uganda became visible and audible to the extent that you could not just do without them. They were the second powerful interest group that embraced the constitution with enthusiasm, energy and hope. They were visible at last..."* (Hon. Miria Matembe, July 2013)

Prime Minister Edi Rama of Albania argued in favour of increased women's representation in Parliament and stated the following: *"We need more women in Parliament*

*and as political leaders because what these times of ours mostly call for are efficiency and accountability that on the one hand are imbued with refinement, on the other a certain sense of ethics in governance as well as renewed and keen sense of social care and justice. We must have learned by now from the lives of women next to us, our grandmothers, mothers, daughters, and above all our female colleagues that these are virtues which make true instruments of action and policy making and are essentially female assets and an added value."*

Women's participation in Parliaments and Legislatures continue to be a matter of debate in society despite the many struggles that women have waged in liberating their societies and in the democratisation process post-liberation. Such debates vary from acknowledging that as societies evolve, all its citizens including women and youth will finally form part of decision-making structures including those that govern society such as legislatures, government and the judiciary. Interestingly, while there may be acceptance of



**"Women's participation in Parliaments and Legislatures continue to be a matter of debate in society despite the many struggles that women have waged in liberating their societies and in the democratisation process post-liberation."**

entry, there are those who hold a view that such entry should not seek to transform such institutions, but rather those who come in, must do so by invitation or through conforming to the rules and norms that have been developed over the years.

However, there is another school of thought even to this day that believes that by being enfranchised, women must still be concerned about issues of health and welfare of society and not be engaged on matters of governing society. In purporting such views, reference is made that tradition, culture and religion define the role and place of women in society. In essence, women's rights are seen to be lesser than those of men. Therefore, the women who depart from the norm and choose to become activists, participate in politics, serve in political formation and stand as public representatives are

viewed differently and treated as outcasts at times by their kith and kin.

Sadly, winning the franchise has only been the first step, women continue to struggle for the exercise of their rights. Ginwala argues that the issue of rights of women is not at issue, as such rights are the same for men and women, but what the struggle is about is the exercise of such rights. (Ginwala, F N) Women have continued to be visible, but most of the time not heard. Those that have entered the corridors of power remain few and continue to fight for their survival while at the same time struggle to represent the concerns and views of many who are left outside. Most womenfolk have continued to be in the margins of decision making structures.

In order to better understand the barriers to entry, the International Institute for

Democracy and Electoral Assistance (IDEA) workshop for women Parliamentarians in Myanmar identified the following challenges:

- **Stage 1: From Person to an eligible Citizen.** Women felt that certain requirements by the electoral laws of countries may disadvantage women. The elements of exclusion may relate to education and literacy levels as well as marriage in some jurisdiction.
- **Stage 2: From Citizen to an Aspirant.** Lack of access to resources to run a campaign may be a barrier as well as the women's status and standing as perceived by others. Issues of culture and tradition that may be used to de-campaign the women candidate.
- **Stage 3: From Aspirant to Candidate.** If a candidate







is from the party, internal party processes may disadvantage women. An example can relate to the nominating procedures within the political party, visibility in the community and status.

- **Stage 4: From Candidate to Elected Representative.** The nature of the electoral system may or may not diminish the changes for a women candidate. In a constituency based system for instance the level of competition be of disadvantage to women
- **Stage 5: From Candidate to Member of Parliament.** The structure and systems of Parliaments and uneven gender balances within family which affect functionality of a women Parliamentarian.

In attempting to rectify the problem of exercising their rights, women at the 1995 Beijing Conference proposed mechanisms that sought to

increase women's representation in decision-making structures by at least 30%. Other proposals advanced better policies in areas of governance that impacted largely on women. The Beijing Conference Outcomes committed governments to advance women's rights and gender equality. Many years later, the pace of transformation in meeting the commitments on gender and improving women's rights by governments is slow. On the contrary what has been observed is the unending debate amongst societies on why women's participation in public must be a matter of concern.

In answering, some of these questions women have raised important issues about the principle of democracy. Women are of the view that the exclusion of women from decision-making bodies limits the possibilities for entrenching the principles of democracy in a society, hindering economic development and discouraging the attainment of gender equality.

Women, like Hon. Matembe

of Uganda articulates, have a certain perspective that their participation in Parliaments will bring. Another Member of Parliament in Uganda in 2013 expressed herself about why she joined politics and said *"I wanted to join politics and use my position to advocate for women's rights and the right to refuse to undergo female genital mutilation. I hope to bring about a change in culture that oppresses women."*

Clearly, as demonstrated by the words of these women Members of Parliament from Uganda, women believe their perspectives in the parliament would help shape the agenda for women around issues that affect them. They equally believe that through law making, holding the government to account and overseeing the implementation of government programmes, they will represent their communities better. Through their contribution they will ensure transformative legislation which touches on long held views about traditions and culture that have previously been oppressive to women.

*What can we then do as Parliamentarians to improve the numbers of women in parliaments?*

1. We need to transform the legal frameworks such as the electoral laws and ensure that they have in-built mechanisms that will ensure more women participate in politics and therefore enable them to be elected as public representatives.
2. We must undertake work amongst communities using our constituency offices and partner with the women's

**"In answering, some of these questions women have raised important issues about the principle of democracy. Women are of the view that the exclusion of women from decision-making bodies limits the possibilities for entrenching the principles of democracy in a society, hindering economic development and discouraging the attainment of gender equality."**



movement to change society's attitudes and perceptions about the role of women in society and in public life.

3. To support those women who are already in parliaments, we need to transform the institutions so that the needs of women can be taken into consideration.

*What can women Parliamentarians do to advance the struggles of women in society?*

Women Parliamentarians can use the Standing Orders of Parliament to raise concerns of women in society. Through the parliamentary programme, debates on important issues affecting women such as violence against women can be put on the order paper for discussion. As Members of Parliament, in exercising

their oversight role, women MPs can ensure that the Executive address the issues of women through departmental programmes and budgets. Women can mobilise support for the amendment of legislation that impacts negatively on women such as the marriage act, laws on property rights and ownership and ensuring that such laws do not adversely affect women and promote gender equality.

In order to sustain the gender agenda, women Members of Parliament need to set up mechanisms such as the Commonwealth Women Parliamentarian Chapters in their own Parliaments and Legislatures which will act as vehicles for deliberation and advancements of women's empowerment in society. These structures can also enable women Parliamentarians to have a forum that they can use for

intervention in their legislative work, oversight and holding the Executive to account.

It is important to appreciate that various instruments have been proposed before with various strategies being developed. However, monitoring of these initiatives has not been time bound to ensure that interventions can be made in good time. Women Parliamentarians should always build consciousness in society to ensure that gender stereotypes are dealt with. Engagement with the media remains critical to influence the agenda. Women Parliamentarians should mobilise and engage women in the media to ensure that in their reporting on activities they present women as leaders of society too.

Parliaments should endeavour to build the capacity of its Members, particularly women Parliamentarians, through the CPA's programmes



and initiatives. The type of training will be aimed at equipping women with necessary skills on public policy on the areas of expertise, managing and working with the media, as well ensuring that gender awareness is in-built in the programmes of Parliament. It is also important to ensure that women Parliamentarians remain a bridge between women in society and the legislature.

*This article is based on a presentation made by Hon. Angela Thokozile Didiza, MP, (South Africa), on the topic 'Women in Parliament' as the Chairperson of the Commonwealth Women Parliamentarians Africa Region, at the CPA Post Election Seminar held for the National Assembly of Zambia in Lusaka, Zambia in November 2016.*







# PROMOTING WOMEN AND ECONOMIC EMPOWERMENT



**Joyce Watson, AM** has been Assembly Member for Mid and West Wales since 2007 and is a member of the Assembly Commission, the corporate body for the National Assembly for Wales, with responsibility for equalities and Assembly staff. She sits on the Assembly's Equality, Local Government & Communities Committee and chairs the Cross Party Groups on Construction and Human Trafficking. In 2016 she was elected Chair of the Commonwealth Women Parliamentarians (CWP) British Islands and Mediterranean Region, having previously chaired the Wales branch of the Commonwealth Parliamentary Association (CPA).

At the end of the Second World War, Wilton Park in Buckinghamshire, England, provided a bucolic setting for talks on German post-war democracy. Between 1946 and 1948 more than 4,000 Germans attend re-education lessons there, discussing the virtues of democracy with visiting political figures and thinkers including Bertrand Russell, Lord William Beveridge and Lady Astor, the United Kingdom's first female Member of Parliament.

The legacy lives on: today Wilton Park is an agency of the UK's Foreign and Commonwealth Office (FCO) committed to resolving global challenges to security, prosperity and justice. Reflecting the shared aims and tenets of our family of nations, Wilton Park has become a by-word for diplomacy, democracy and progressive international relations.

So it was a fitting venue for February's two-day Commonwealth Women Parliamentarians (CWP) working group. More than 20 women from 16 countries, representing all nine regions of the Commonwealth Parliamentary Association (CPA), gathered to discuss the gender priorities for 2017 and beyond.

It was an opportunity for our newly elected chairperson, Hon. Dato' Norani Ahmad, MP (Malaysia), to plot the course of her three-year tenure, which will focus on increasing women's political participation. Despite progress, only twelve Commonwealth countries currently meet the 30% female parliamentary representation target. We must do better.

We also discussed extending

the reach and influence of the CWP by engaging with other international groups committed to the advancement of women in politics, like UN Women. At the conclusion of the meeting, we agreed to go forward on three gender policy areas: women in leadership; economic empowerment and violence against women.

From the quietude of the English countryside to the bustle of Wales' capital city, Cardiff – from 6 to 8 April 2017, we picked up the economic empowerment theme at the 4<sup>th</sup> British Isles and Mediterranean Region (BIMR) CWP Conference. I was honoured to welcome my BIMR parliamentary colleagues to the National Assembly for Wales. Bringing together representatives from international business, innovative start-ups, government, the third sector and education, we discussed how doing '*what works for women*' creates a more equal and prosperous society.

It is difficult to avoid the B-word, these days. Suffice to say, current events around Brexit have given fresh impetus to governments everywhere to update their economic plans. At a meeting held in London in March 2017, Commonwealth trade ministers did just that, agreeing to deepen the economic ties between our countries. The Cardiff conference was a timely opportunity to explore how women can play a full and equal role in our respective and collective economies, now and in the future, and how policy-makers can support women to achieve and prosper.

Across the BIMR, we are making progress but equality

remains patchy. Women disproportionately work in low paid and part-time roles and are notably absent from certain sectors like engineering and manufacturing, and from leadership positions generally. At the same time, traditional gendered roles – women as the 'primary carer', for example – continue to influence and disrupt women's professional decisions, opportunities and progress.

The financial cost of this underrepresentation is huge (a recent report calculated that closing the gender gap could add £150 billion to the UK economy by 2025), as is the correlative impact on society.

The conference kicked off with a tour of *GE Aviation*, led by a young female apprentice. The visit set the tone for a lively discussion about females in STEM (science, technology, engineering and mathematics). We also heard from women who have started their own successful businesses, a good jumping off point for attendees to share their own stories, experiences and lessons. We concluded with a hands-on workshop building a working replica of the iconic Severn Bridge in the equally iconic Richard Rogers-designed Senedd building.

It is a useful metaphor for what we do through the CWP and CPA: overcoming barriers, building connections. At Wilton Park in 1946 they helped lay the foundations of the post-WWII international order. Today, in a fast-changing world, on gender equality and international cooperation, we have to construct new bridges and strengthen old ones too. Let's get building.

## Commonwealth Women Parliamentarians BIM Regional Conference held at the Welsh Assembly to discuss '*Women and Economic Empowerment*'

The Commonwealth Women Parliamentarians (CWP) British Islands and Mediterranean (BIM) Regional Conference took place with women Members of Parliament from across the region at the Welsh Assembly in Cardiff, United Kingdom from 6-8 April 2017. The list of attendees included members from the legislatures of Guernsey, Gibraltar, the Isle of Man, Jersey, Malta, Northern Ireland, Scotland, the United Kingdom and Wales.

Joyce Watson, AM, CWP International Steering Committee Member for the BIM Region hosted the event on the theme of Women and the Economy, specifically looking at how economic empowerment can help to promote gender equality.

The conference theme was adopted by the CPA Wales Branch following the 2016 CWP BIM Regional Conference in Guernsey, where a number of economic issues were raised, and to provide continued momentum to strengthened intra-Commonwealth economic links. The Conference provided the opportunity for members to explore the various ways in

which women can be involved in, and contribute to, all economies across the region in an equivalent manner to their male counterparts.

Through their involvement at the Conference, members were asked to collaborate in identifying those barriers which serve to prevent women from fulfilling their potential, identify gaps in policy and share instances of good practice from their home jurisdictions.

Proceedings started on 6 April with an outreach visit to *GE Aviation's* Nantgarw site in Caerphilly, where women Members of Parliament met young women apprentices and heard about the



work being done to address the STEM-Gender Gap by 2020 and to encourage more women to join the sector.

On the 7 April, participants took part in three plenary sessions looking at Women in the Welsh Economy, The Role of Government in Promoting Women in the Economy, and The Diversity of Women in the Economy, respectively. CPA Wales had also arranged two workshop sessions on *Supporting Business to Help Women Achieve and Prosper* and *Women in Construction*, with participants being invited to attend one of the two before coming together for a joint workshop session on Building Bridges.

Both the plenary sessions and the workshop sessions highlighted a number of priorities for increasing the participation of women in the economy, namely:

- Engagement with young, primary school age children in order to prevent negative perceptions around traditional gender identities;
- Promotion of female role models within the economy;
- Provision of flexible and diverse workplaces, with the benefits of such environments to be clearly communicated;
- Implementation of support mechanisms for women entrepreneurs, such as mentoring schemes and relevant training;
- Recognition of subconscious and unconscious biases in workspaces and recruitment processes.







## Commonwealth Women Parliamentarians Strategy Session at Wilton Park sets new three-year agenda for CWP activities



Image courtesy: Wilton Park

The Commonwealth Women Parliamentarians (CWP) Steering Committee, together with female Parliamentarians from across the Commonwealth, were provided with the opportunity to commit to energising the CWP to better support women Parliamentarians, and to contribute to a new three-year CWP Strategic Plan at a strategy session held at Wilton Park in West Sussex, United Kingdom.

The Working Group was led by the newly elected Chairperson of the CWP, Hon. Dr Dato' Noraini Ahmad, MP (Malaysia) who pledged to renew efforts to increase women's political participation across the Commonwealth during her three year term.

Over the course of the session, the Working Group highlighted three gender policy areas to focus on: women in leadership; economic empowerment; and violence against women. The group also highlighted the need to ensure a coordinated communications and profile raising strategy; to conduct research on the current status of women in parliaments across the Commonwealth; to promote partnerships with other organisations; to galvanise a CWP alumni to provide mentoring to new female Parliamentarians; to build capacity within the Regions; and to continue to mainstream gender and the CWP across all CPA programmes

Taking stock of the discussion during the retreat, the Hon. CWP Chairperson said: *"As a result of the CWP Working Group and the valuable contributions from Commonwealth Women Parliamentarians from across our regions, we can now identify our future aspirations, goals and priorities for a responsive, supportive and impactful CWP during my term as CWP Chairperson."*

The CWP Working Group included participants from all regions of the CPA: Africa Region (South Africa and Mauritius); Asia Region (Sri Lanka and Pakistan); Australia Region (Tasmania and New South Wales); British Islands and Mediterranean Region (Wales and Scotland); Caribbean, Atlantic and Americas Region (Montserrat and Guyana); Canada Region (Saskatchewan and Canada Federal); India Region (Lok Sabha); Pacific Region (New Zealand and Samoa); South-East Asia Region (Malaysia).

The Working Group heard from several speakers on how to provide greater gender parity and equality: Hon. Lechesa Tsenoli, MP, Deputy Speaker of the Parliament of South Africa; Hon. Hanna Birna Kristjánsdóttir, Chair of the Women in Parliament Global Forum Executive Board; Ms Begoña Lasagabaster, Chief of Leadership and Governance at UN Women; Ms Amelia Kinahoi Siamomua, Head of the Gender Section, Commonwealth Secretariat; and Dr David Donat-Cattin, Secretary-General of Parliamentarians for Global Action.

## Closing the gender gap and promoting equality in social, economic and political issues is the renewed focus for Commonwealth Women Parliamentarians in South East Asia

During the Commonwealth Women Parliamentarians South-East Asia Regional Seminar held on 7 April 2017 at the Parliament of Malaysia, Commonwealth Women Parliamentarians (CWP) from the South-East Asia Region highlighted a number of key issues on the theme of 'Women and Development: Bridging the Gap'.

In the South-East Asia Region, there is currently an urgent need for action on gender equality in parliaments where the levels of representation for women in Malaysia and Singapore falls below the target of 30% female representation in Commonwealth Legislatures set by the Commonwealth Heads of Government.

The CWP regional seminar provided a platform of engagement to identify strategies to close the gender gap and promote gender equality across social, economic and political forums in the South-East Asia Region of the CPA. Members of Parliament from across the region emphasised the crucial role that the CWP plays in supporting women Parliamentarians to raise the profile of these key issues in their work.

The CWP regional seminar was hosted by the CWP Chairperson, Hon. Dr Dato' Noraini Ahmad, MP and the CWP South-East Asia Steering Committee Member, Hon. YB Datuk Hajah Norah binti Ahmad, MP, and covered a number of pertinent topics including promoting sustainable economic growth through the digital economy; encouraging gender equality in politics; and addressing sexism, harassment and domestic violence against women and children.

The CWP South-East Asia Region further highlighted that whilst it should be acknowledged that women remain significantly underrepresented in parliaments and legislatures in Singapore and Malaysia, it is important to look beyond their critical mass to the impact women Parliamentarians have on legislative and political process, and on evaluating and shaping policies in their efforts to reach gender parity.

The Commonwealth Women Parliamentarians (CWP) network looks to provide the necessary means of building the capacity of women elected to parliament to ultimately become more effective



in their roles; encouraging Parliamentarians, male and female to include a gender perspective in all aspects of their role - legislation, oversight and representation; and helping parliaments to become gender-sensitive institutions.

The seminar was opened by Hon. Tan Sri Datuk Seri Panglima Pandikar Amin bin Haji Mulia, Speaker of the Parliament of Malaysia who also gave the keynote address. Members of Parliament from across the South-East Asia Region and representatives of international organisations were in attendance at the seminar.

Former Commonwealth Parliamentary Association International Executive Committee Members, Hon. Dr Ronald Kiandee, MP, Deputy Speaker of the Dewan Rakyat Parliament of Malaysia and Hon. S.K Devamany, MP, Deputy Minister in the Malaysian Prime Minister's Department together with Deputy Speaker of the Parliament of Singapore and the current CPA International Executive Committee Member for the South-East Asia Region, Hon. Lim Biow Chuan, MP (Singapore) also attended the seminar.

In giving the opening remarks at the seminar, the Secretary-General of the Commonwealth Parliamentary Association (CPA), Mr Akbar Khan said: *"The coming together of Commonwealth Women Parliamentarians from across the region is a perfect demonstration of promoting the Commonwealth values of gender equality, human rights and democracy that was so clearly highlighted in the 2017 Commonwealth theme of a 'Peace-Building Commonwealth'. It is only through respect, understanding and by working together that we can defend the dignity of each individual and create fairer societies for all. It is through networks like the Commonwealth Women Parliamentarians (CWP), and the CWP regional seminar here in Malaysia, that we can make great strides in improving gender equality in parliaments across the Commonwealth and in giving an enhanced profile to gender equality issues. I hope that seminars like this will encourage further work to be done to achieve gender parity in parliaments and legislatures in South East Asia."*







## Commonwealth Women Parliamentarians (CWP) celebrate International Women's Day 2017



With the theme for International Women's Day 2017 calling for both women and men to 'Be Bold for Change', Commonwealth Women Parliamentarians (CWP) marked the occasion by highlighting gender equality and increasing women's representation in Parliaments.

To mark the occasion, the Chairperson of the Commonwealth Women Parliamentarians, Hon.

Dato' Dr Noraini Ahmad, MP, Parliament of Malaysia, spoke on behalf of the CWP by releasing a video message which was shared on the CPA website and social media channels, in which she stressed the importance of reaching the Commonwealth target of 30% female representation in Commonwealth legislatures and the vital role of networks such as the CWP to achieve change.

Specifically the Hon. CWP Chairperson emphasised that "the underrepresentation or marginalisation of women, or indeed other social groups, including minorities, is not only unjust and unequal but it also undermines the legitimacy of our democratic institutions."

Commonwealth Women Parliamentarians across the Commonwealth celebrated International Women's Day on 8 March 2017 with a range of events and activities.

### CWP International Activity

The CWP International Steering Committee was represented by United Kingdom Parliamentarian, Baroness Elizabeth Berridge at a high-level panel discussion on International Women's Day hosted by the Commonwealth Secretariat at Marlborough House in London, UK.

Baroness Berridge reaffirmed the Commonwealth Parliamentary Association and Commonwealth Women Parliamentarian's commitment to gender equality and inclusiveness in political processes, whilst also highlighting political violence against women, and the direct impact political violence against women has on democracy. Baroness Berridge also spoke about how the Commonwealth Women



Above: Baroness Elizabeth Berridge (United Kingdom) on International Women's Day 2017 following her speech on behalf of CWP on 'political violence against women'.

Parliamentarians network has raised awareness of these issues, setting out the recommendations made by CWP as to how Parliamentarians, society and the Commonwealth can look to tackle these problems. These recommendations include looking at national legislation aimed at the domestication of provisions contained in international obligations and UN declarations that are crucial to the protection of women against political violence.

During the International Women's Day 2017 event, the Commonwealth Secretary-General, Rt Hon. Patricia Scotland QC launched *Peace in the Home: Ending domestic violence together*, an initiative aimed at reducing rates of domestic violence in the Commonwealth.

Below right and below left: Commonwealth Secretary-General, Patricia Scotland QC speaks to women from across the Commonwealth at the launch of the 'Peace in the home: Ending domestic violence together' campaign on International Women's Day 2017.



Images courtesy: Commonwealth Secretariat

Established together with public agencies, human rights institutions and civil society, the initiative represents part of the 'Peace-building Commonwealth' – the 2017 theme for the Commonwealth, and includes special measures and toolkits to help Commonwealth members build capacity for a multi-sectoral approach to domestic violence.

"This stubborn stain on our communities is no respecter of gender, location or social or economic status. When we understand that 38% of women murdered globally were killed by an intimate partner, this should shock us all into action. This is why I will remain steadfast in my commitment to address this issue," said Commonwealth Secretary-General, Patricia Scotland at the launch.

### CWP Australia Region

In the Australia Region, the CWP New South Wales Branch Chair, Hon. Jenny Aitchison, MP, opened a new exhibition titled 'Our women in Parliament - a fit place for women' at Parliament House in New South Wales, Australia on International Women's Day 2017. Hon. Jenny Aitchison highlighted that "despite all the things that can divide us in this profession that we've chosen, and as countries and cultures, when we work together we can achieve great things and great change."

Commonwealth Women Parliamentarians from the CWP Australia Region also participated in a morning session organised and hosted by the YWCA Canberra at the Australian Capital Territory Legislative Assembly, during which leaders from various sectors discussed women in leadership to mark International Women's Day. As part of the session the Australian Capital Territory Representative to CWP, Nicole Lawder, MLA, took part in a panel discussion together with the Deputy Chief Minister Yvette Berry, MLA and Caroline Le Couteur, MLA to discuss their personal leadership journeys and how they could lead the fight for change in the ACT. Attendees at the event totalled over 90 women leaders, including MLAs, YWCA board members, and community and business leaders.

Below: Young women from every federal riding in Canada take their Members' seats in the chamber of the Canadian Federal Parliament on International Women's Day as part of the 'Daughters of the Vote' initiative.



Image courtesy: Equal Voice



Above: A poster highlighting the achievements of the Australian Capital Territory's Legislature on International Women's Day 2017.

### CWP Canada Region

The Commonwealth Women Parliamentarians (CWP) Canadian Region have continued their commitment to the 'Daughters of the Vote', where young women from every federal riding in Canada are invited to the Canadian Federal Parliament and provincial legislatures on International Women's Day to discuss their visions for the future of Canada. As part of the programme in 2017, the Canadian Federal Parliament hosted 338 young women from across Canada in the House of Commons chamber who sat in their Members seats for a special debate on International Women's Day.

In recognition of the 'Daughters of the Vote' initiative, CWP representatives from across Canada met to discuss the role of mentoring and collaboration in encouraging more female candidates to stand for political office. Among those present were; Monique Leblanc, MLA (New Brunswick); Patricia Arab, MLA (Nova Scotia); Caroline Simard, MNA (Quebec); Kathleen Casey, MLA (Prince Edward Island); Lisa Dempster, MHA (Newfoundland and Labrador); Debbie Jabbour, MLA (Alberta); Lisa Thompson, MPP (Ontario); Colleen Mayer, MLA (Manitoba); and Laura Ross, MLA (Saskatchewan).

Below: Members from across the CWP Canadian Region meet to discuss the role of mentoring and collaboration in gender equality ahead of International Women's Day 2017.



Image courtesy: CWP Canada Region





# PRIVATE MEMBER'S BILLS AS 'MONEY' BILLS

Rare examples of Private Member's Bills in the Second Chamber of the Indian Parliament containing features of Money and Financial Bills and the legislative developments and behaviour that it demonstrates.

**Mr Sundip Mesra**  
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*Views expressed are personal.*

In the Council of States of the Parliament of India, popularly known as the second chamber, one of the rarest of the rare events occurred in the domain of legislation on 5 August 2016. On that day when a Private Member Bill concerning *Andhra Pradesh Reorganization (Amendment) Bill, 2015* was being taken up for further consideration the Finance Minister and Leader of the House, Shri Arun Jaitley raised an objection that discussion on such a Bill in the second Chamber (i.e., the Council of States) could not be carried forward any further because it was a Money Bill as per the provisions enshrined in the Constitution of India under Article 110 and read with Article 117 and money bills cannot be introduced in the Council of States.

It is worthwhile to note that the aforementioned Private Member's Bill was introduced in the House by Dr K.V. K. Ramchandra Rao on 7 August 2015 and it was brought up for consideration on 11 March and 29 April 2016.

When the motion for further consideration of the Bill was taken up in the House on 5 August 2016, Shri Jaitley invoked Rule 186 (7) of the Rules of Procedure and Conduct of Business in the Council of States and raised an objection that it is a Money Bill and,

therefore, the Council should not go ahead with its consideration. The said Rule which he invoked states:

*"On a Bill being introduced in the Council or at subsequent stage if an objection is taken that a Bill is a Money Bill within the meaning of article 110 and should not be proceeded within the Council, the Chairman shall if he holds the objection valid direct that further proceedings in connection with the Bill be terminated."*

Several Members of the House belonging to the Opposition benches took a stand that no objections could be raised to say that it was a Money Bill when the said Private Member's Bill had passed through the stage of introduction and come up for further consideration on several other days.

Such an objection by the Opposition was ruled out by the Deputy Chairman based on the provisions of the aforementioned rule that the objections can be raised on the issue of it being a Money Bill or not at the time of introduction or at subsequent stages. The main grouse of the Opposition was that the Government was trying to bypass the Council of States by taking recourse to the strategy to declare a Bill as Money Bill and thereby avoiding the second Chamber in which the Government did not have the

requisite majority.

However, the Leader of the House Shri Jaitley fell back on Article 110 read with Article 117 of the Constitution and the Rule 186(7) of the Rules of Procedure and Conduct of Business in the Council of States to defend his point that the framers of our Constitution only conferred powers to the Lok Sabha or the House of People and not to the Rajya Sabha or the Council of States for the introduction of a Money Bill in the House of People only and it can be voted in that House alone and not in the Council of States. He firmly pleaded that if a Money Bill could not be passed in the House of the People of Indian Parliament, the House could compel the Government to tender resignation.

Based on such arguments he requested the Chair not to proceed with the Bill and to refer it to the Speaker of the House of the People who is mandated by the Constitution to decide if a Bill is a Money Bill or not and that decision would be final and the Speaker based on such decision can give a certificate to that effect. He further argued that the *Andhra Pradesh Reorganization (Amendment) Bill, 2015* introduced as a Private Member's Bill had many aspects warranting expenditure from the Consolidated Fund of India and, therefore, it fell within the ambit of the Money Bill.



Such objections raised by the Leader of the House on that Bill were contested by several leaders of the opposition. However, the Deputy Chairman gave the ruling after he found the objections raised under Rule 186(8) on the Bill that it could possibly have the features of a Money Bill and, therefore, it could be referred to the Speaker whose decision on it would be final in accordance with clause 3 of Article 110 of the Constitution.

The ruling of the Chair as follows:

*"The Andhra Pradesh Reorganisation (Amendment) Bill, 2015 was introduced by Dr K.V.P. Ramachandra Rao in the Rajya Sabha on 7th August 2015. The Bill was taken up for consideration on 11th March and 29th April 2016. A point has been raised that the Bill is a Money Bill under article 110 of the Constitution. Rule 186 (7) states that 'On a Bill being introduced in the Council or at subsequent stage if an objection is taken that a Bill is a Money Bill within the meaning of article 110 and should not be*

*proceeded within the Council, the Chairman shall if he holds the objection valid direct that further proceedings in connection with the Bill be terminated'. Under Rule 186 (8) if the Chairman has any doubt in regard to the validity of the objection, he shall refer the matter to the Speaker whose decision on the question shall be final in accordance with Clause (3) of article 110 of the Constitution. Since the matter is not free from doubt, I, therefore, under rule 186 (8) refer the matter to the Hon. Speaker for a decision, till then further proceedings in connection with the Bill stand deferred."*

Following the above ruling of the Chair, the discussion on the Private Member's Bill was deferred and decision of the Speaker of the House of the People was awaited.

The Hon. Deputy Chairman on receiving the communication from the Speaker of Lok Sabha on the said Bill gave a ruling the crux of which is that the Speaker declared the Private Member's Bill not as a Money Bill as per Article 110 of the Constitution but as a Financial

Bill of category 'A' on the ground that the Bill had a provision to establish a separate High Court for the State of Andhra Pradesh and, therefore, it dealt with a matter under sub-clause (e) of clause 1 of Article 110 of the Constitution of India which covered any expenditure charged on the Consolidated Fund of India or the increasing of amount of any such expenditure. It is worthwhile to quote the entire ruling below.

*"1. Hon. Members may recall that on 5th August 2016 on an objection being raised that the Andhra Pradesh Reorganisation (Amendment) Bill, 2015 introduced by Dr. K.V.P. Ramachandra Rao which was under consideration at that time is a Money Bill, further proceedings on the said Bill was deferred and under rule 186(8) of the Rules of Procedure and Conduct of Business in the Rajya Sabha, the matter was referred to the Hon. Speaker of Lok Sabha for a decision. Hon. Speaker has since decided that this Bill is not a Money Bill within the meaning of article 110 of the Constitution. However, while conveying the*

*decision of the Hon. Speaker, the Secretary-General, Lok Sabha expressed the opinion that in view of the provision in the Bill for establishment of a separate High Court for the State of Andhra Pradesh, the Bill appeared to deal with matter specified in sub-clause (e) of clause (1) of article 110 of the Constitution and therefore, it being a Financial Bill of Category 'A', can be introduced in Lok Sabha only.*

*2. The Ministry of Law and Justice has also concurred with the view that the said Bill is a Financial Bill of Category 'A' and can be introduced only in Lok Sabha as per the provisions of clause (1) of article 117 of the Constitution.*

*3. After going through the provisions of the Bill carefully and the considered advice given by the Ministry of Law and Justice on the issue, I hold that the Andhra Pradesh Reorganisation (Amendment) Bill, 2015 is a Financial Bill within the meaning of clause (1) of article 117 of the Constitution which can be introduced only in Lok Sabha. Accordingly, in view of sub-rule (3) of rule 185 of the Rules*





## PRIVATE MEMBER'S BILLS AS 'MONEY' BILLS

of Procedure and Conduct of Business in the Rajya Sabha, I terminate further discussion on the Bill forthwith and direct that the Bill be removed from the register of Bills pending in the Council."

Following the above ruling the discussion in the Council of States on the Private Member's Bill on *Andhra Pradesh Reorganization (Amendment) Bill, 2015* introduced by Dr K.V.P. Ramchandra Rao was terminated and it was deleted from the register of pending Bills in the Council.

It is the second such legislative development in the history of the Council of States following the commencement of the functioning of Indian Parliament on 13 May 1952. Previously on 17 March 1978 when a Private Member's Bill under the title '*The Pension Bill, 1977*' was introduced by a Member of the Council of

States, Shri Vithal Gadgil on 17 March 1978 the then Minister of State in the Ministry of Finance, Shri Satish Agrawal raised the objection at the introduction stage of the Bill that it was a Money Bill and, therefore, it could not be introduced in the House as per the Rules of Procedure and Conduct of Business in the Council of States prevailing then. He urged the Chair that in view of the objections raised the Bill could be referred to the Speaker of the House of the People who is empowered by the Constitution of India to take a decision on a Money Bill and such a decision of the Speaker would be final.

On 5 May 1978, the Vice-Chairman of the House gave the following ruling after a detailed discussion:

*"An objection had been raised that Shri Vithal Gadgil's Bill, viz., the Pensions Bill, 1977 is a Money Bill and hence it cannot*

*be introduced in Rajya Sabha. I am aware that earlier a similar Bill, namely, the Pensions Bill, 1973 was introduced by him in Rajya Sabha on the 31st August 1973 and that at the time no such objection was made for its introduction. However, the question whether the Bill is a Money Bill or not is not free from doubt. A reference will have, therefore, to be made to the Speaker of Lok Sabha under rule 186(8) of the Rajya Sabha Rules of Procedure according to which the decision of the Speaker in such cases shall be final in accordance with clause (3) of article 110 of the Constitution. I order accordingly."*

Finally, the Speaker gave his decision on the Pension Bill and the Deputy Chairman of Rajya Sabha disclosed to the House on 28th July 1978 that the Speaker certified the Pension Bill as a Money Bill falling within the scope of Article 100(1)(e)

read with Article 110(1)(g) of the Constitution of India. After getting such an opinion from the Speaker, the Deputy Chairman ruled that the Bill could not be introduced in the Rajya Sabha.

However, it is of interest to make a comparative analysis of the two cases. While in 1978 in the case of the Pension Bill, the Speaker held the Bill as a Money Bill, in the case of the 2015 Bill concerning the Andhra Pradesh Reorganisation, the Speaker held it as a Financial Bill of Category 'A'. In the first case the views of the Ministry of Law and Justice were not solicited; whereas in the second case the views of the Ministry of Law and Justice were factored in the decision and the Ministry concurred with the view that the said Bill is a Financial Bill of Category 'A' and can be introduced only in Lok Sabha as per the provisions of clause (1) of Article 117 of the Constitution. It is understood that the views of the Ministry of Law and Justice were sought by the Rajya Sabha Secretariat and, therefore, the Deputy Chairman while giving the ruling on 18 November 2016 factored the opinion of the Law Ministry to disallow further consideration of the Bill and to remove it from the register of pending Bills.

These two examples of Private Member's Bills containing provisions of Money or Finance Bills as the case may be as per Article 110 and 117 of the Constitution throw light on the legislative developments in the Indian Parliament. The active role played by Members of the Treasury and the opposition benches on such issues and the rulings given by the Chair help to put the issues in perspective and contribute to a better understanding of the legislative processes undertaken by Members of Parliament. It also demonstrates the evolution of legislation in a country of sub-continental dimensions.



# Parliamentary Report

NEWS AND LEGISLATION FROM COMMONWEALTH PARLIAMENTS



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With thanks to our Parliamentary Report and Third Reading contributors: Stephen Boyd (Federal Parliament of Australia); Ravindra Garimella (Parliament of India); Dr Jayadev Sahu (Parliament of India); Michael Dewing (Federal Parliament of Canada); Luke Harris (Parliament of New Zealand); Talitha Rowland (Parliament of the United Kingdom); Karan Riari (Legislative Assembly of British Columbia).



# SURPRISE GENERAL ELECTION CALLED IN UNITED KINGDOM



On 18 April 2017, the UK Prime Minister, **Rt Hon. Theresa May, MP**, took almost everyone by surprise in the Houses of Parliament and the wider general public in the United Kingdom by announcing that divisions within Westminster made the holding of a general election imperative in order to prevent political “game playing” which would weaken the UK Government’s hand in the Brexit negotiations with the European Union.

This announcement came only six years after the passing of the *Fixed Term Parliaments Act* under the Coalition Government which provided for fixed, five year Parliaments. The rationale given by **Rt Hon. Nick Clegg, MP**, the then Deputy Prime Minister, was that this would “remove the right of a Prime Minister to seek the Dissolution of Parliament for pure political gain.” Hailed by some as a principled constitutional and democratic change others, including the House of Lords Constitution Committee, suspected the Act might be more “the product of short-term political expediency rather than the result of a mature consideration of enduring constitutional principles.”

Many had therefore expected the Act to be repealed, especially following the return to single-party Government after the 2015 election. However, no Government-backed proposals emerged despite some backbench attempts to press the issue, for example though a Private Members’ Bill and a debate on a motion scheduled by the Backbench Business Committee.

Yet despite the legislation remaining firmly in place, the UK Prime Minister was still

able to call an election only two years into the 2015 Parliament. This was because the *Fixed Term Parliament Act* contained two mechanisms by which elections could be called outside of the five year cycle. The first was for a motion of no confidence to be passed and no alternative government formed within fourteen days; the second for a motion for an early general election to be agreed by at least two thirds of MPs in the House of Commons.

It was the second of those which was used on 19 April 2017 when the Members of the House of Commons voted on the motion in the name of the Prime Minister “that there shall be an early Parliamentary general election.”

With the support of the Opposition, the motion was carried by 522 to 13 votes. The Scottish National Party, the second largest opposition party in the House of Commons, abstained from the vote. The Scottish National Party’s leader at Westminster, **Rt Hon. Angus Robertson, MP**, explained that whilst the party welcomed the prospect of an election they were disappointed that the Labour Party were supporting the motion, commenting that “the *Fixed Term Parliaments Act 2011* was supposed to stop political parties abusing their position and putting party before country. Today the Tories are going to do just that.”

The motion having been passed, the date for the Dissolution of Parliament was confirmed as 3 May 2017, the required 25 days before the date of the election. With the deadline known, the work of making the most of the remaining days of the Parliament then began. One of the

benefits of fixed term Parliaments, realised in 2015, was that with an end date known in advance legislation could be planned for and concluded in a more orderly way. However, with the calling of a ‘snap election’, Parliament saw the return of the ‘wash up’ where the Government and Opposition negotiate an expedited passage for Bills or parts of Bills.

A total of 22 Bills (only 8 of which had already concluded their Parliamentary stages at the point the election was called) eventually received Royal Assent when the House prorogued on 27 April 2017. There were however a few casualties, with those Bills at an early stage, having been destined to be ‘carried over’ to the next Session, falling.

Select Committees, too, underwent an impressive period of activity with a large number of reports published in the last week, some mid-way through inquiries.

The new UK Parliament will meet for the first time on 13 June 2017 for the election of the Speaker of the House of Commons and the swearing in of members of both Houses in advance of the State Opening of Parliament on 19 June 2017.

But what of the fate of the *Fixed Term Parliaments Act*? Some commentators have suggested that these events have proved that the Act is redundant. However, this is not necessarily so. On this occasion the Opposition decided to support the Government’s motion but that is not to say that there might not be times when they would not. Yet as the events of a frenetic late April ultimately demonstrated, where expediency requires, legislation and the legislative process is often able to oblige.

## THIRD READING: BRITISH COLUMBIA, CANADA

### Adoption Amendment Act, 2017

The *Adoption Amendment Act, 2017* makes several changes to the Adoption Act to align it with provincial policies. Specifically, the Bill removes the requirement for prospective adoptive parents to reside in British Columbia allowing the director of adoption to consider out-of-province adoptions where it is in the best interest of a child and confirms the director of adoption’s role as the sole guardian of a child in care. The Bill also includes retroactive provisions to confirm the validity of out-of-province adoptions made before these amendments came into effect.

During second reading debate, **Hon. Michelle Stilwell**, Minister of Social Development and Social Innovation, on behalf of **Hon. Stephanie Cadieux**, Minister of Children and Family Development, spoke to the need to clarify and confirm established adoption policies to ensure children and youth are connected to forever homes. She referenced recent court decisions that interpreted certain provisions of the Act differently from the way in which the Ministry of Children and Family Development had been interpreting the Act, particularly as it relates to out-of-province adoptions, and how as a result, some adoption processes had been stalled.

The Opposition Spokesperson for Children and Family Development, **Melanie Mark, MLA**, questioned the validity and urgency of making the amendments, and whether stakeholders had been appropriately consulted. She specifically referenced the overrepresentation of Indigenous children in government care, and asked how connections to families will be maintained if children are moved to other provinces.

The *Adoption Amendment Act, 2017* received Third Reading on 9 March 2017.

### Discriminatory Provisions (Historical Wrongs) Repeal Act

On 7 March 2017, the government introduced the *Discriminatory Provisions (Historical Wrongs) Repeal Act* which eliminates discriminatory provisions on the basis of ethnicity or place of origin in 19 historical private Acts.

**Hon. Teresa Wat**, Minister of International Trade and Minister Responsible for the Asia Pacific Strategy and Multiculturalism, explained

during second reading debate that while the “provisions in the 19 historical private Acts have fallen into disuse and would most likely be struck down by a court if challenged on the basis of human rights legislation, they still represent a dark time in B.C. history” and that “repealing them through the proposed Bill will not only encourage healing; it will clearly reflect British Columbia’s refusal to accept any form of racism.”

The legislation was unanimously supported by both government and opposition as Members shared their experiences with racism and discrimination, and the significance of apologies and addressing historical wrongs.

**Bruce Ralston, MLA**, Opposition Spokesperson for Multiculturalism, discussed the broader record of discriminatory legislation that had previously been struck down or repealed, and the importance of understanding that record for reconciliation. Other Members reflected on the continued persistence of discriminatory attitudes, and highlighted the progress made in human rights in the province and the protections now afforded by provincial and federal human rights legislation, which did not exist at the time the 19 historical Acts came into force.

The legislation is the outcome of a review of existing statutes for discriminatory provisions, and follows a motion the Legislative Assembly unanimously adopted in 2014, apologizing for over 100 laws, regulations and policies imposed by past provincial governments, between 1871 and 1947, against people of Chinese descent. The review and the apology were key recommendations in the government’s 2014 report on consultations with Chinese-Canadians titled *Chinese Historical Wrongs Consultation Final Report and Recommendations*.

The *Discriminatory Provisions (Historical Wrongs) Repeal Act* received Third Reading on 14 March 2017.

### Information Management (Documenting Government Decisions) Amendment Act, 2017

On 8 March 2017, the government introduced the *Information Management*

(*Documenting Government Decisions*) Amendment Act, 2017 implementing a legislated duty to document government decisions by requiring heads of government bodies to create and maintain a record of decisions. The amendments are another phase of government’s reforms to modernize records management that began with the passing of the *Information Management Act* in May 2016.

During second reading debate, **Hon. Michael de Jong**, Minister of Finance and Minister responsible for information and privacy legislation in British Columbia, explained how the amendments, which enhance and clarify the oversight powers of the Chief Records Officer and include oversight for duty to document rules, address recommendations by former Information and Privacy Commissioner **David Loukidelis** in his December 2015 report on government information practices.

Opposition Spokesperson for Citizen Services, **Doug Routley, MLA**, criticized the legislation for not being stringent enough in mandating a statutory requirement to document, and for using the *Information Management Act* and the Chief Records Officer as the mechanisms for documenting decisions, instead of the *Freedom of Information and Protection of Privacy Act* as had been recommended by the then Information and Privacy Commissioner Elizabeth Denham and by the Special Committee to Review the Freedom of Information and Protection of Privacy Act in 2016.

The *Information Management (Documenting Government Decisions) Amendment Act, 2017* received Third Reading on 15 March 2017.





# CANADA FEDERAL PARLIAMENT

The Budget

On 22 March 2017, Finance Minister, **Hon. Bill Morneau, MP**, tabled the government’s second budget. It emphasized the themes of skills and innovation, strong communities, tax fairness, and a strong Canada at home and abroad. The budget set out some modest tax increases and \$4.4 billion in new spending. It also forecast a higher federal deficit - over \$28 billion in 2017-18, up from \$23 billion in 2016-17. Part of this is due to the reintroduction of a \$3-billion risk adjustment into the forecast. For the first time, the budget included a gender statement identifying the ways in which budgetary measures affect women and men differently.

Legislation

On 8 March 2017, the House of Commons passed *S-201, the Genetic Non-Discrimination Act*, a Senate Bill that prohibits requiring someone to submit to a genetic test in order to receive goods or services or to enter into a contract. Despite Prime Minister, **Hon. Justin Trudeau, MP**, saying that the government considered the Bill to be unconstitutional because it infringes on provincial jurisdiction, many Liberal Party Members voted in favour, and the Bill passed by a vote of 222-60. On 4 May, the Act received Royal Assent.

Meanwhile, the Minister of Justice and Attorney General of Canada, **Hon. Jody Wilson-Raybould, MP**, introduced *Bill C-39*, which would amend the Criminal Code to repeal provisions that the Supreme Court of Canada has struck down as being unconstitutional. Despite being struck down,

these so-called ‘*zombie laws*’ remain on the books. The issue came to public attention last year, when a man’s murder conviction was overturned because it was based on a provision of the Criminal Code that had previously been ruled unconstitutional. The man was subsequently convicted on the lesser charge of manslaughter.

On 11 April 2017, Finance Minister, **Hon. Bill Morneau, MP** introduced *Bill C-44*, a budget implementation Bill that, among things, would make the Parliamentary Budget Officer (PBO) an officer of Parliament who reports directly to the Speakers of the Senate and the House of Commons. Currently, the PBO is a Library of Parliament official. Under *Bill C-44*, the PBO would be appointed for a seven-year term, renewable once. The Bill would set certain limits on the research the PBO can undertake and would require the PBO to submit an annual work plan to the Speakers. The Bill would also give the PBO the mandate to cost political parties’ electoral platforms.

On 3 May 2017, the PBO, Jean-Denis Fréchette, issued a discussion paper that pointed out his concerns that elements of the Bill could undermine the independence and non-partisanship of the PBO.

On 13 April 2017, Justice Minister, **Hon. Jody Wilson-Raybould, MP** introduced *Bill C-45, the Cannabis Act*, which would make it legal for adults to possess and grow small amounts of cannabis (marijuana), while controlling its production, distribution and sale. At the same time, the Bill would make it a criminal offence to sell cannabis to a minor and to drive under its

influence. The government hopes the new rules will be in force by July 2018.

On 4 May 2017, *Bill C-224*, the *Good Samaritan Drug Overdose Act*, received Royal Assent. This Private Member’s Bill provides immunity from simple drug possession charges for those who call emergency services in the case of an overdose. The Bill was originally introduced by **Ron McKinnon, MP**, a Member from British Columbia, where 922 people died of drug overdoses during 2016.

**By-elections**

Five by-elections were held on 3 April 2017, and the incumbent party won in each of them. In Alberta, Conservative Party candidates won both by-elections. **Stephanie Kusie** won Calgary Midnapore with 77% of the vote, while **Bob Benzen** took Calgary Heritage with 72% of the vote.

Both of the Ontario by-elections were won by Liberal Party candidates. **Mary Ng** took the Toronto-area riding of Markham-Thornhill with 51% of the vote, and **Mona Fortier** garnered the same percentage in the riding of Ottawa-Vanier. In Quebec, Liberal **Emmanuella Lambropoulos** won the Montreal-area riding of Saint-Laurent with 59% of the vote. As is often the case in by-elections, voter turnout was low, ranging from 28% to 34%.

**Bloc Québécois leadership**

On 14 March 2017, **Martine Ouellet**, a Member of the National Assembly of Quebec, was acclaimed as leader of the Bloc Québécois (BQ). She said, however, that she does

not intend to give up her seat in the National Assembly. The BQ has 10 Members in the House of Commons.

**Reforming the Standing Orders of the House of Commons**

On 10 March 2017, the Leader of the Government in the House of Commons, **Hon. Bardish Chagger, MP**, released a discussion paper on reforming the Standing Orders of the House of Commons. Suggested reforms included introducing electronic voting, eliminating Friday sittings, replacing time allocation with some method of scheduling House business, reforming Question Period, and setting time limits for speeches in committee.

The opposition parties opposed the reforms, saying they would limit their ability to hold the government to account. The government said it would ask the Standing Committee on Procedure and House Affairs (PROC) to consider the ideas, but when a Liberal member of PROC moved that the committee study the government’s discussion paper, the opposition parties began a filibuster.

Faced with this obstruction, Minister Chagger announced on 1 May 2017 that the government would proceed with reforms contained in its election platform, including reforming Question Period, restricting the use of omnibus legislation and changing the process for approving government spending. At the same time, the government said it would not move forward with the proposals related to instituting electronic voting, eliminating Friday sittings,

scheduling House business and setting times limits for speeches in committee. Consequently, the filibuster in PROC ended.

**Committee reports**

In early 2017, House of Commons Committees tabled a number of reports on subjects that included:

- agricultural policy;
- the Trans-Pacific Partnership Agreement;
- protecting environmentally sensitive areas;
- protecting religious and ethnic minorities in Iraq;
- ending violence against young women and girls;
- the housing markets;
- the northern cod fishery; and
- the protection of military personnel.

In addition, a report by the Standing Senate Committee on Aboriginal Peoples addressed

housing in First Nation and Inuit communities in Canada’s North.

**The Senate**

In February 2017, the Leader of the Opposition in the Senate, **Senator Hon. Claude Carignan** announced that he was stepping down. On 28 March 2017, the Conservative Senate Caucus elected **Senator Hon. Larry Smith** as Leader of the Opposition in the Senate.

Meanwhile, on 9 March 2017, the Senate Ethics Officer, **Lyse Ricard**, issued a report in which she concluded that **Senator Hon. Don Meredith** had breached sections of the Ethics and Conflict of Interest Code for Senators when he had an inappropriate relationship with a teenager.

On 2 May 2017, the Standing Senate Committee on Ethics and Conflict of Interest for

Senators recommended that Senator Meredith be expelled. Rather than await a final decision by the Senate, on 9 May 2017, Senator Meredith announced that he would resign.

**Motion on Islamophobia**

On 23 March 2017, the House of Commons passed a motion condemning Islamophobia and religious discrimination. Among other things, the motion requested the Standing Committee on Canadian Heritage to undertake a study on ways to reduce systemic racism and religious discrimination. The motion was the subject of heated debate, and its sponsor, Liberal **Iqra Khalid, MP**, told the House about the many hateful messages she had received.

**Malala Yousafzai addresses the House of Commons**

On 12 April 2017, **Malala Yousafzai**, the 19-year-old co-recipient of the 2014 Nobel Peace Prize, addressed both Houses of Parliament in Canada.

**Election in British Columbia**

At the provincial election on 9 May 2017, British Columbians elected a minority legislature, the first since 1952. The governing Liberal Party won 43 seats (down from 47), while the New Democratic Party took 41 (up from 35) and the Green Party gained three (up from one). At dissolution, there were two independents, but neither sought re-election. Incumbent Premier **Hon. Christy Clark, MLA**, was given the chance to form a new government.





Intelligence and Security Bill

The *Intelligence and Security Bill* was read for a third time on 21 March 2017 after being shepherded through Parliament by the Attorney-General, **Hon. Christopher Finlayson, MP** (National). Mr Finlayson described the Bill as “a response to the report of the first independent review of intelligence and security that was carried out by Dame Patsy Reddy and Sir Michael Cullen” and as “the most significant reform of the legislation governing the intelligence agencies and their oversight, in our country’s history. At the centre of the reform is replacing four Acts with one comprehensive piece of legislation, which sets out more clearly than ever before the functions and the powers of the agencies, along with their oversight regime.”

Opposition Member, **Hon. David Cunliffe, MP** (Labour) commented that “historically, New Zealand law has always kept separate the domestic and human intelligence role of the Security Intelligence Service from the very largely international and cyber role of the Government Communications Security Bureau. This Bill brings both together for the first time in a single coherent legislative framework, as was recommended in the Reddy-Cullen review.”

Along with greater oversight provisions, the Bill expands the membership of the Intelligence and Security Committee, a committee of MPs that provides political scrutiny of the intelligence and security agencies. Under the Bill, the committee’s membership increased from 5 Members to a maximum of 7 Members in order to enable broader representation. The Leader of the Opposition, **Mr Andrew Little, MP** (Leader, Labour) welcomed the move, saying: “No one has suggested that in the nature of our Parliament and our adaptation of the Westminster system, the Government of the day should not have the majority on that committee - and I certainly accept that. But it is important in an MMP [mixed-member proportional] environment and in a Parliament that has multiple parties and multiple voices that, at least on the Opposition side, parties of some significance and substance that are represented in Parliament should be represented on that committee.”

Mr Little also commended the process

and Mr Finlayson’s participation, particularly during the Committee of the whole House: “He actively engaged in the debate, put up reasonable, sound, and often robust defences, but otherwise engaged with the debate that Members were genuinely bringing on this very important piece of legislation.”

**Hon. David Parker, MP** (Labour) echoed the sentiment expressed by Members across the House, saying: “I have been around this place for 15 years now. I have never seen a better process.”

**Mr Denis O’Rourke, MP** (New Zealand First) commented: “New Zealand First believes that as a result of the processes that we have had in the development of this legislation we have achieved that all-important balance of the need to protect personal privacy on the one hand, and to deliver an effective and more than adequate system to protect New Zealand’s security on the other hand.”

**Mr Todd Muller, MP** (National), the Chairperson of the Foreign Affairs, Defence and Trade Committee, which considered the Bill, said one of the highlights for him was “how we landed a clear, effective warranting regime ... in particular, where we have pushed for the appropriate balance between protection of our civil liberties and protection of this country from harm in a highly volatile world.”

The Bill passed 106 votes to 14, with opposition from the Green Party. **Dr Kennedy Graham, MP** (Green Party) explained: “We opposed the Bill from the beginning, and we continue to oppose it today. We shall be voting against it, but that will not be from a dissatisfaction with the parliamentary procedure observed or the democratic process that the Bill has taken, all the way through to this third reading.”

The Bill received the Royal assent on 28 March 2017.

**Te Awa Tupua (Whanganui River Claims Settlement) Bill**

The *Te Awa Tupua (Whanganui River Claims Settlement) Bill* passed its Third Reading on 14 March 2017, thereby accorded a river, for the first time in New Zealand’s history, the same legal rights as a human being.

The Whanganui River is the longest navigable river in New Zealand, originating at Mount Tongariro, in the North Island, and

flowing into the Tasman Sea. It has a long history of providing physical and spiritual support to Whanganui iwi (tribes) and their hapū (sub-tribes), and this bill settled the historic claims of Whanganui iwi as they relate to the Whanganui River.

**Hon. Christopher Finlayson, MP** (National), Minister for Treaty of Waitangi Negotiations, explained: “The Whanganui negotiators have been unrelenting in pursuit of this settlement. They brought the wairua (spirit) of Te Awa Tupua to the negotiating table. They reminded the Crown of its obligations and held it accountable for its actions, and the result is a truly unique settlement ... For more than 150 years the iwi have been unwavering in their efforts to have their interests recognised and the health and well-being of the river protected.”

The history of the Bill, as well as its complexity, was highlighted throughout the debate, with **Ms Marama Fox, MP** (Co-Leader, Māori Party) explaining that “*Te Ruruku Whakatupua*, as it is expressed in this Bill, represents immense forbearance, compromise, and generosity on the part of Whanganui iwi. It represents a loving legacy of more than 150 years to both protect the Whanganui River and provide for the special relationship of the Whanganui iwi with the river.”

**Mr Nuk Korako, MP** (National) added: “This Bill is an innovative and world-leading solution to a very complex and, at times, a very, very controversial issue. It is not easy to balance the competing interests of multiple iwi and those other users in the way they appropriately respect the river - tangata whenua (indigenous people of the land) and all who now use and benefit from the river.”

**Mr Kelvin Davis, MP** (Labour) commented on the importance of the river: “If we imagine the river being a person, we have to look after the whole part of the person. You can guarantee that if you shoot somebody in the head, their feet are going to die as well. It is the same with the river. If we mistreat any one part of the river, it is going to affect the whole river, and that should never be allowed to happen again.”

Several members spoke to the connectedness between the Māori and the river. As **Mr David Clendon, MP** (Green Party) remarked, “I think it is remarkable that this Bill does embed one of the fundamental

beliefs and values of Te Ao Māori (Māoridom): the notion of connectedness with the natural world, and human beings as part of it.”

**Mr James Shaw, MP** (Co-Leader, Green Party) added: “Ko au ko te awa; ko te awa ko au - I am the river; the river is me. Obviously, this is such a deeply spiritual and cultural notion to Māori and to the people of the Whanganui River that this Bill gives such recognition to ... It means that the river itself has the right not to be polluted. It has the right not to be degraded. It has the right not to be overdrawn before it can replenish itself.”

**Dr Shane Reti, MP** (National) explained: “today we have heard this Bill called revolutionary and unique, and I want to call it extraordinary. I want to extend on the concept of personhood that the member James Shaw just talked about, because here today we recognise a river and its catchment as a legal entity, a legal person - Te Awa Tupua, under the framework of Te Pā Auroa nā Te Awa Tupua.”

The Bill passed with unanimous support and received the Royal assent on 20 March 2017.

**Education (Update) Amendment Bill**

The *Education (Update) Amendment Bill* passed its Third Reading on 11 May 2017. The latter stages of this Bill were significant because, despite strong political disagreement about the Bill’s content, cross-party agreement was reached for an innovative approach to debating it.

The Bill, first introduced in September 2016, amends the *Education Act 1989*, inserting several new parts into the Act. As introduced, the main provisions: provide for the Minister of Education to issue a statement of National Education and Learning Priorities; enable education providers to provide distance education through the establishment of communities of online learning; enable a new entrant to be enrolled in a school on the first day of the term closest to the child’s fifth birthday; make changes to the roles and responsibilities of school boards and to ministerial powers; introduce new planning and reporting processes for schools; strengthen the legal framework for managing teacher competency; repeal the *Private Schools Conditional Integration Act 1975* and transfer its provisions to the Act in a modernised form, with some changes;

THIRD READING: NEW ZEALAND

and disestablish Careers New Zealand and transfer its functions to the Tertiary Education Commission.

The Business Committee agreed prior to the Committee of the whole House that the debate on the Bill would be arranged by theme rather than by part, as is currently the convention. The debate was divided into five key themes - principles and central management; communities of online learning; boards of trustees and management of schools; establishment of, and types of schools; and miscellaneous provisions - with clauses allocated between them accordingly.

The sitting of 12 April 2017 was extended into the next day to enable the debate in the Committee of the whole House to take place. At the beginning of the debate, the Chairperson, **Hon. Trevor Mallard, MP** (Labour) explained to Members: “There [will be] no limit on the number of calls per Member, except for the fact that the normal arrangements apply, whereby Members cannot have more than two calls at one time.” The change in procedure was made with the aim of encouraging shorter, more meaningful interactions between Members of the Committee and the Minister in the Chair.

**Ms Tracy Martin, MP** (New Zealand First)

commented on the change: “This has been a really great process so far. It has probably been the most respectful [the Minister of Education] and I have been to each other for a long time.”

The Chairperson was the sole determiner of the length of debate on each theme, with all questions put at the end of the whole debate on the Bill.

The new approach to the Committee of the whole House received widespread support from across the House. **Mr Chris Hipkins, MP** (Labour) said: “Can I thank all Members of the House for agreeing to trial this new approach to the Committee stage. I hope that this will result in a more logical debate and some better scrutiny of the legislation put before the House. I look forward to some interchange with the Minister during this debate as well.”

**Ms Catherine Delahunty, MP** (Green Party) echoed his praise by saying she really appreciated “the process where we are having a direct dialogue and talking about these things together, because we do not get much opportunity.”

Similarly, the Chairperson, **Hon. Trevor Mallard, MP** (Labour) concluded: “It has been a high-quality debate.” The Bill passed with 62 votes to 56.





# AUSTRALIAN FEDERAL BUDGET 2017

On 9 May 2017, the Treasurer, **Hon. Scott Morrison, MP**, delivered a budget designed to re-boot the flagging Turnbull Government. The government introduced a range of spending initiatives particularly in infrastructure and, at the same time, increased taxation through an increased Medicare levy, and a new levy on banks designed to raise \$1.5 billion a year. This budget is in sharp contrast to the government's 2014 Budget which had the unenviable reputation of being one of the harshest in living memory and which was widely condemned.

Mr Morrison noted that while the Australian economy had performed well compared to other advanced economies, the benefits had not been shared by all Australians. Technological change, globalisation and the end of the mining boom were affecting the living standards of many Australians. Wages growth has slowed and for first home buyers home ownership was out of reach, particularly in Sydney and Melbourne.

The Treasurer announced that the Budget was on a trajectory to be in surplus in 2021. The forecast deficit for 2017-18 is \$29.4 billion which is projected to reach a surplus of \$7.4 billion in 2020-21. Underpinning these growth forecasts is a view that the global economic outlook is improving with Australia forecast to achieve growth of three percent over the next two years. Mr Morrison noted that certain savings measures from the 2014-15 and 2015-16 Budgets which have been rejected in the Senate will be reversed at a cost of \$13 billion.

A significant part of contributing to growth is the

government's commitment to infrastructure spending. Mr Morrison advised that *"we will establish the Western Sydney Airport Corporation to build and operate the new Western Sydney airport, creating 20,000 jobs by the early 2030s and 60,000 in the longer term. We will inject up to \$5.3 billion in equity over the next ten years into this company to get the job done. Earth moving works will commence on the 1,800-hectare site in the second half of next year and the Western Sydney Airport will be delivered in 2026."*

The Treasurer advised that the government was delivering \$75 billion infrastructure funding and financing over the next ten years. In particular, Mr Morrison commented that *"in one of the biggest investments ever seen in regional Australia, the government will fund the Melbourne to Brisbane Inland Rail project with \$8.4 billion in equity to be provided to the Australian Rail Track Corporation. Construction on this 1,700 kilometre project will begin in 2017-18 and will support 16,000 jobs at the peak of construction. It will benefit not just Melbourne and Brisbane, but all the regions along its route."*

In relation to healthcare, the Treasurer announced that funding for the National Disability Insurance Scheme will be provided for by increasing the Medicare Levy by 0.5%. The increase will commence in July 2019.

The Banking sector has been the subject of ongoing scrutiny and review following unprecedented complaints about poor service, executive accountability, barriers to competition and misconduct particularly in the insurance and wealth management sections of

the big four banks. Mr Morrison noted that there needs to be greater competition and accountability. He announced the establishment of a *"a simpler, more accessible and more affordable one-stop shop for Australians to resolve their disputes and obtain binding outcomes from the Banks and other financial institutions, to be known as the Australian Financial Complaints Authority."*

In addition, Mr Morrison advised that *"a new Banking Executive Accountability Regime will be introduced, requiring all senior executives to be registered with APRA. If in breach, they can be deregistered and disqualified from holding executive positions, and be stripped of their significant bonuses."* In particular, *"if banks breach misconduct rules, they will also face bigger fines starting at \$50 million for small banks and \$200 million for large banks."*

One of the most significant measures in the Budget was the introduction of a new levy on the banks.

From 1 July 2017 the five largest banks comprising the Commonwealth Bank, Westpac, ANZ, NAB and Macquarie Bank will be subject to a six basis point levy which is forecast to raise \$6.2 billion over the four year forward estimates. Not surprisingly these banks were opposed to the levy but they received little support. Mr Morrison commented that *"this represents an additional and fair contribution from our major banks, is similar to measures imposed in other advanced countries, and will even up the playing field for smaller banks."*

For first homebuyers the challenge of buying a home

is becoming more difficult particularly in Sydney and Melbourne. Mr Morrison announced that *"first home buyers will be able to save for a deposit by salary sacrificing into their superannuation account over and above their compulsory superannuation contribution from 1 July 2017. The First Home Super Savers Scheme will attract the tax advantages of superannuation. Contributions and earnings will be taxed at 15%, rather than marginal rates, and withdrawals will be taxed at their marginal rate, less 30 percentage points. Savers will not have to set up another account, they can just use their existing super account and decide how much of their income they want to put aside to save for their first home deposit. Contributions will be limited to \$30,000 per person in total and \$15,000 per year."*

The Leader of the Opposition, **Hon. Bill Shorten, MP**, stated that *"this is a budget and a government that wants to bury its past and rewrite its history. The Liberals want Australians to forget four wasted years in which wages growth has hit record lows, unemployment is up, underemployment and casualisation are at record highs, living standards have stagnated, inequality has widened. This budget is an admission of guilt, a signed confession. It is proof that the Liberals have frozen this nation and hurt our economy. And now they have the nerve to come in here and talk about fairness and opportunity."*

In relation to the new bank levy, Mr Shorten stated *"Labor will not stop the Liberals' new tax on the banks, but we are deeply sceptical of a banking*

*culture that takes every opportunity to hit customers with higher fees and charges. And we are worried that the weakness at the core of this government will turn a \$6 billion tax on the banks into a \$6 billion charge on every Australian with a bank account or a mortgage. The big banks know they can run right over the top of this weak Prime Minister. He is giving them a levy with one hand but a tax cut with the other and a free pass on bad behaviour."*

Mr Shorten, in relation to the government's housing affordability measures, stated *"the government would love Australians to believe they are doing something on housing. But they are not reforming negative gearing and capital gains. We are. They are not undoing the tax breaks which give every investor a head start and every option, but we are. They are not serious about tackling the crisis in housing affordability. We are."*



Mr Shorten noted that *"the sad lesson of First Home Owner Grants is that any extra cash in the pockets of people looking to buy is eaten up by price rises. When you study the detail you see that this program offers microscopic assistance for young people. If you divide the cost of this program in the budget by the number of first homes sold each year, the government, with great fanfare, is allocating \$565 for each home. What a joke!"*

In relation to the additional Medicare levy, Mr Shorten stated that *"we will back the government's 0.5% increase in the Medicare levy but only for Australians in the top two tax brackets. Costings from the independent Parliamentary Budget Office show that our plan will deliver more revenue than the government over the medium term without putting the burden onto families on modest incomes."*

Mr Shorten concluded that *"this is not a Labor budget and it was not a fair budget because we are not you, and you will never*

*be us. Fairness is not measured by what you say; it is revealed by what you do. There is only one party in this parliament that believes in fairness and delivers it - fair funding for education, fair protection for Medicare and the safety net, a fair deal for Australians with disability, a fair chance at a job, a fair wage at work including penalty rates, a fair start in the housing market, a fair deal for the generation that follows us, taking action on climate change, equal pay for women, tackling inequality, closing the gap, building a country as generous and as courageous as Australians themselves. Prime Minister, if this is the best you can do, your best is not good enough for this country. Building a country to achieve better days ahead needs a better government, a fairer government, a Labor government for all Australians."*

The Leader of the Australian Greens, **Senator Richard Di Natale**, commented that *"if you're under the age of 35, you've been screwed over in this budget - whether it's the gouging of higher education, the lack of action on climate change or the refusal to tackle housing affordability."*

In relation to climate change, Senator Di Natale noted that *"the Treasurer didn't mention climate change even once in his budget address, which is fitting since they didn't even bother to provide further funding for Tony Abbott's Direct Action Policy, the centrepiece of their response to climate change. Australia now officially has no climate change policy."*

Senator Di Natale commented that *"inaction on climate is a stunning betrayal of all of us, but it is especially a betrayal to the generations that follow in our footsteps. It will be the next generation of young leaders who have to clean up*

*the mess that our government is making. It will be the farmers of the future who suffer the consequences of damaged land and increasingly frequent extreme weather events. It will be the next generation of engineers who inherit a decrepit and polluting energy system. And it will be the next generation of medical and nursing students who will have to deal with the climate impacts on their health of the rapid spread of infectious diseases."*

In relation to housing affordability, Senator Di Natale commented that *"we know what we need to do to make it possible for young people to buy a home in our capital cities - get rid of negative gearing and the capital gains tax discount. Unfortunately, this budget proves that the Government is too beholden to its billionaire mates to do anything more than nibble around the edges."*

Senator Di Natale commented, in relation to the bank levy, that *"the Greens have been banging on about the bank levy since well before the global financial crisis. The behaviour of the big four banks and the response from government represents some of the most egregious failure of free-market, neoliberal, crony capitalism that we have ever seen. You see, the big banks make huge profits. They gouge their customers and worse, yet they have got their hand out, relying on a taxpayer guarantee if they ever get into financial trouble. The 'too big to fail' response after the global financial crisis represents everything that is wrong with our broken system. When times are good, the big end of town creams it; when times are bad it is up to taxpayers to foot the bill. That is why we support the move for a bank levy."*



# THIRD READING: AUSTRALIA FEDERAL

### Corporations Amendment (Crowd-sourced Funding) Act 2017

The legislation establishes a framework to facilitate crowd-sourced funding offers by small unlisted public companies. In addition, it provides new public companies that are eligible to crowd fund with temporary relief from certain reporting and corporate governance requirements.

The Treasurer, **Hon. Scott Morrison, MP**, commented that this initiative “forms part of the government’s commitment to help transition the Australian economy from the mining investment boom to a more diversified economy, with broader based growth, and long-term strength and resilience.” The Treasurer noted that the legislation “achieves this goal by opening up new and innovative sources of capital funding for Australian small businesses and start-ups - a key driver of growth and jobs.”

Mr Morrison explained that “crowd-sourced equity funding is a truly innovative concept. It allows businesses to obtain capital from a large number of investors through an online platform,

where each investor typically contributes a small amount of money in return for an equity stake in the business.”

Companies that undertake crowdsourcing under the legislation will face reduced disclosure compared to what is required under a full public equity fundraising. Mr Morrison stated that “for newly registered or converted public companies that meet the assets and turnover tests, the framework provides concessions from some corporate governance and reporting obligations. To ensure investors are able to make informed investment decisions and not be exposed to excessive potential losses, the framework sets out the minimum disclosure requirements and a \$10,000 per issuer per 12-month period investor cap for retail investors. It also sets out a number of obligations that intermediaries will need to perform as part of providing a crowdfunding service.”

Australia’s crowd-sourced equity funding regime will allow eligible companies to fundraise up to \$5 million per year from the crowd. Mr Morrison advised that “to ensure the regime is appropriately targeted, companies

will be required to meet turnover and assets tests before they are eligible to fundraise under this part. The threshold is set at \$25 million. This will enable a broad range of companies to make use of crowd-sourced equity funding and provide investors with a wider range of investment opportunities.”

The government recognised that reduced levels of disclosure could affect the capacity of investors to make informed decisions about the performance of a company. The Treasurer stated that “the government proposes to set out disclosure requirements in the regulations that will ensure that investors have access to the key facts about the company, its structure and the fundraising. Investors will also be able to interact directly with the company to ask questions relating to an offer, and the company will be able to respond to any questions.”

The Shadow Minister for Small Business and Financial Services, **Senator Katy Gallagher** commented that Labor was supportive of crowd sourcing but was critical of the Abbott-Turnbull Governments for taking too long to introduce the legislation.

Senator Gallagher noted that when Labor was in government in 2013 it had asked the Corporations and Markets Advisory Committee (CAMAC) to consider the best regulatory framework that would allow for the operation of equity crowdfunding in Australia. CAMAC provided its report in May 2014 but it was not until December 2015 that the Liberal Government introduced a bill.

Senator Gallagher commented that the “2015 legislation was roundly criticised for being cumbersome and costly and weighed down with red tape and restrictions. It was criticised because it contained a requirement that companies - small businesses and start-ups - would have to convert themselves into unlisted public companies. Again, it is worth remembering that the government told everyone it consulted, it had a system that would receive widespread support and balance competing viewpoints. Labor expressed concerns about that unwieldy proposal, citing how it would impose larger costs on small businesses seeking equity crowdfunding. Despite the Abbott government’s claims of being pro-business and anti-red tape, it was Labor pointing out how the coalition were limiting the ability of small business to easily access capital or for investors to secure equity. This legislation lapsed due to the 2016 double dissolution election. The requirement that companies would have to convert to unlisted public companies was again in the legislation introduced in November 2016. Many contributors to a Senate Committee inquiry into the Bill thought the idea of having to go through the process of becoming an unlisted public company for the purposes of accessing this funding regime would be ridiculous.”

### Human Rights Legislation Amendment Act 2017

A key objective of the Bill was to amend section 18C of the Racial Discrimination Act 1975 which prohibits offensive behaviour based on racial hatred. The amendment sought to replace the words ‘offend’, ‘insult’ and ‘humiliate’ with ‘harass’. The government failed with Labor, Greens and independent Senators combining to block the amendment. The Act does introduce changes to complaints handling procedures.

Section 18C has been a vexed issue

for members of the Liberal/National Party Coalition. Some members are highly critical of the inclusion of offend, insult and humiliate because they are concerned that complaints could be raised that could stifle free speech and political communication. In contrast some Liberals do not consider this matter a priority in their electorates and the focus should be on more pressing matters.

The Attorney-General, **Senator Hon. George Brandis** noted that in November 2016 the Parliamentary Joint Committee on Human Rights (PJCHR) was asked to inquire into and report on two issues relating to freedom of speech in Australia. Senator Brandis advised that the reference was made in response to growing public concern about the effect of section 18C of the Racial Discrimination Act on freedom of speech, and about the Commission’s complaints handling procedures. While the committee did not put forward a unanimous view on the possible wording of section 18C it did put forward a range of proposals.

Senator Brandis explained that it was important to reform section 18C because “it is a hallmark of a free and democratic society that all of its members have the right to voice their opinions.” Senator Brandis noted that in debating ideas “we will say things that are offensive to others, or insulting, or even humiliating. That is partly because one person’s ideas may themselves be offensive to a person who has a completely different point of view, and sometimes because, in making our case, we may hurt the feelings of others. That is the way democracies work.” He concluded that “section 18C specifically prohibits the expression of views merely because they may insult, offend or humiliate. It is political censorship, pure and simple. A law like that has no place in a free country.”

Senator Brandis explained that “people will still be protected from racial vilification because the word ‘intimidate’ will be retained and ‘harass’ will be included in the amended section.” Senator Brandis explained that “intimidation and harassment, by contrast, are not exercises of free speech. Rather, they are – and have always been acknowledged to be – species of unlawful conduct.”

The Labor Party is opposed to changing section 18C. The Leader of the Opposition in the Senate, **Senator Hon. Penny**

**Wong**, commented that “it says something distressingly sad about this government that it wants to legitimise offend, insult and humiliation all in the name of free speech - a value that gives expression to one of the cornerstones of our democracy.”

**Senator Malcom Roberts** (One Nation) welcomed the proposed changes to section 18C commenting that “at least limiting complaints to harassment imposes a requirement for an objectively measurable event as a trigger, rather than the current ridiculous situation in which complaints are derived from a subjective emotional state and therefore can be based on a whim.”

**Senator Rachel Siewert** (Australian Greens) indicated that the Greens would not support the government’s proposals commenting that section 18C “represents our continued commitment to multicultural harmony. It sets the absolute minimum conditions for public engagement in our overwhelmingly successful multicultural society. I just do not see why this small group of hard Right, Dad’s Army opponents of 18C want so badly to attack it.”

Independent **Senator Jacqui Lambie** argued that the case for reforming 18C had not been made commenting that “section 18C functions well as it is. It strikes the right balance between freedom of speech and a legal incentive to protect victims of verbal or written abuse.”

**Senator Stirling Griff** (Nick Xenophon Team (NXT)) indicated that the NXT would not be supporting changes to 18C. Senator Griff commented that “it bothers me that I even have to speak today on such a confected problem. We are debating a Bill that has, at its heart, a change that is simply not necessary, as our courts have proven time and time again. The government is proposing to amend section 18C of the Racial Discrimination Act 1975, to allow people to offend, insult and humiliate others on the basis of their race, religion or skin colour, because it thinks the current laws set the bar too low - that boggles the mind. How does this government feel it is appropriate to, in effect, sanction the public humiliation of another person? Instead, it wants to set the bar to what it believes is a more appropriate standard of harassment and intimidation.”





# BUDGET PRESENTATIONS AND MATERNITY BENEFITS

The first session of Parliament commenced on 31 January 2017 with the President's Address to both the Houses of Parliament assembled together in the Central Hall of Parliament. Both the Lok Sabha and Rajya Sabha were adjourned *sine die* on 12 April 2017.

The Finance Minister, **Shri Arun Jaitley** presented the Union Budget, 2017-2018 in Lok Sabha on 1 February 2017. The Finance Bill 2017, seeking to give effect to the financial proposals of the central government was passed by the Parliament of India on 30 March 2017 after the Lok Sabha rejected all five amendments moved to it and adopted by the Rajya Sabha on 29 March 2017. The government had advanced the presentation of the Union Budget by a month from the end of February. This will allow budget proposals to be implemented and public spending to start from 1 April, the first day of the financial year. Usually the budget used to get passed in May and because of the monsoon, effective implementation used to start only in September-October.

On 5 April 2017, the Speaker, Lok Sabha, **Smt. Sumitra Mahajan** congratulated the MPs, political parties, the Prime Minister, the Finance Minister and all Ministries for the cooperation extended in processing and passing the Budget before 1 April 2017. She observed that the incident may be considered as a hallmark in the history of independent India.

Even though a sitting member had passed away on 1 February 2017, the Lok Sabha

was not adjourned that day and the Budget was presented. In the event of death of a sitting member, the House, as is the practice, is adjourned for the day as a mark of respect after the obituary reference to the passing away of the member is made in the House. The Speaker, **Smt. Sumitra Mahajan**, in her observation, said "...I would have adjourned the House for the day, but today's sitting has been

*specifically fixed by the Hon. President for presentation of the Union Budget for the financial year 2017-18, which is a constitutional obligation. In view of this exceptional situation, the House may go ahead with the presentation of the Union Budget for 2017-18. However, the House would not sit tomorrow as a mark of respect to the departed soul.*"

The government also ended the 92-year-old practice

of having a separate rail budget. The British colonial administration had started the practice of a separate railway budget in 1924, citing its size. A single Appropriation Bill, including the estimates of Railways, will now be prepared and presented by Ministry of Finance to Parliament and all legislative work connected therewith will be handled by the same Ministry.



## Bills passed for Mental Healthcare and Maternity Benefits

The *Mental Healthcare Bill, 2016* passed by Rajya Sabha and Lok Sabha on 8 August 2016 and 5 March 2017, respectively received President's assent on 7 April 2017. Now an Act, it seeks to provide mental healthcare and services for persons with mental illness and to protect, promote and fulfil their rights during delivery of mental healthcare and services. The Act stands out for its wide consultations, rigorous debate both in Parliament and its Standing Committee, and inclusion of a large number of stakeholders' views and recommendations. Almost all suggestions of the Parliamentary Standing Committee were incorporated in the Bill.

The Act gives every person the right to access mental healthcare and treatment from mental health services run or funded by the appropriate government and every person with mental illness will be treated as equal to persons with physical illness in the provision of all healthcares. It will be the duty of the appropriate government to plan, design and implement programmes for the promotion of mental health and prevention of mental illness in the country.

A person with mental illness is deemed to have capacity to make decisions regarding his mental healthcare or treatment if such person has ability to understand the information that is relevant to take a decision on the treatment or admission or personal assistance. Any adult person can make an advance directive in writing, specifying the way the person wishes to be or not to be cared for and treated for a mental illness and the individual he wants

to appoint as his nominated representative.

Any person who attempts to commit suicide will be presumed, unless proved otherwise, to have severe stress and shall not be tried and punished under the Indian Penal Code. The Act prohibits performance on any person with mental illness electro-convulsive therapy without the use of muscle relaxants and anaesthesia, electro-convulsive therapy for minors, sterilization of men or women, and chained in any manner or form whatsoever. A child under the age of three years of a woman receiving care, treatment or rehabilitation at a mental health establishment shall ordinarily not be separated from her during her stay in such establishment. Every insurer shall make provision for medical insurance for treatment of mental illness on the same basis as is available for treatment of physical illness.

Moving the motion for consideration of the Bill in Lok Sabha on 24 March 2017, the Minister of Health and Family Welfare, **Shri Jagat Prakash Nadda**, termed the Bill as a right-based, patient-centric, progressive and community-focused Bill. It empowers the patient for mental healthcare. The focus is to give treatment at the community level, not seclusion but inclusion.

Initiating the discussion, **Dr Shashi Tharoor** (INC) asked the government to make it mandatory for educational institutions to hire professionals to attend to the mental health needs of the students and the young. There should be effective mechanism for implementing and bridging the gap in professional capacities like psychiatrists, nurses, psychologists and psychotherapists.

**Dr Heena Vijaykumar Gavit** (BJP) applauded the insurance provision for patients with mental illness and the provision that decriminalizes attempt to commit suicide. The AITC MP, **Dr Ratna De** (Nag) wanted a blanket ban on Electro-convulsive Therapy (ECT) in case of minors suffering from mental illness and inclusion of dementia in the Bill. **Shri Bhartruhari Mahtab** (BJD) considered lack of specialists to treat mental disorders a problem and requested the Union Government to help the States financially for providing mental care services. **Dr Ravindra Babu** (TDP) pleaded for including in the definition of mental illness mood disorders, behavioural disorders, perception disorders, and those disorders which impair the ability of judgment. **Shri Konda Vishweshwar Reddy** (TRS) said it may be difficult to force insurance companies to provide insurance cover to persons with mental illness.

**Smt. Supriya Sule** (NCP) asked the government to consider bringing all drugs required for mental health in the essential drug list and making the Bill more gender sensitive. **Smt. P.K. Shreemathi Teacher** (CPI-M) said States should have separate mental health authorities to identify and rehabilitate the cured patients.

**Smt. Butta Renuka** (YSR Congress) stressed on educating people about mental health to remove the stigma attached to it in society and setting up of necessary medical infrastructure at the district level. While **Dr Sunil Baliram Gaikwad** (BJP) expressed concern about the increase in the number of people suffering from depression, **Shri Sher Singh Ghubaya** (SAD) urged for providing employment avenues to the educated youth

as unemployment is one of the major reasons for stress-related mental illness.

**Shri Jai Prakash Narayan Yadav** (RJD) needed unambiguous provisions in the Bill for the rehabilitation of patients. **Shri Badruddin Ajmal** (AIUDF) wanted it to be made mandatory for private and district hospitals to provide treatment according to their capacity to persons suffering from mental disorders.

**Shri Kaushalendra Kumar** (JD-U) pushed for setting up hospitals in every State to treat mentally ill people. **Shri Dushyant Chautala** (INLD) said insurance companies should be given strict orders to provide insurance for treatment of such patients at an affordable premium.

**Shri N.K. Premachandran** (RSP) was apprehensive about the government's ability to implement the Bill because of limited infrastructure. **Shri Asaduddin Owaisi** (AIMEM) desired that a psychiatrist or clinical psychologist be provided in each primary healthcare centre. **Shri Ashwini Kumar Choubey** (BJP) talked about music therapy in treating mentally ill people.

In his reply, the Minister, **Shri Nadda** said the Bill will empower patients and ensure that they get proper treatment. He assured that the government will launch programmes for sensitizing all including the health-related activists and workers.

## Maternity Benefits

The *Maternity Benefit (Amendment) Bill, 2016* was passed by the Rajya Sabha and Lok Sabha on 11 August 2016 and 9 March 2017, respectively received President's assent on 27 March 2017. The Bill sought to amend the *Maternity Benefit Act, 1961* which provides for maternity benefit to the woman



workforce in the organized sector.

The Bill sought to increase the maternity leave available to working women from 12 to 26 weeks for the first two children. The leave will continue to be 12 weeks in case children beyond the first two. Maternity leave of 12 weeks will be available to mothers adopting a child below the age of three months as well as to the “*commissioning mothers*”. The commissioning mother has been defined as biological mother who uses her egg to create an embryo planted in any other woman.

Every establishment with more than 50 employees will provide for crèche facilities for working mothers and such mothers will be permitted to make four visits during working hours to look after and feed the child in the crèche. The employer may permit a woman to work from home if it is possible to do so. Every establishment will be required to make these benefits available to the women from the time of her appointment.

The concerned Minister in charge of labour and employment, **Shri Bandaru Dattatreya** moved the motion for consideration of the Bill in Lok Sabha on 9 March 2017.

Initiating the discussion, **Kumari Sushmita Dev** (INC) said the Bill addresses the dilemma of pregnant or lactating women in the organised sector. It may, however, act as a deterrent in the private sector as the entire maternity benefit has to be borne by the employer.

**Dr Pritam Gopinath Munde** (BJP) referred to an initiative of Maharashtra Government under which a special room is provided in government offices called *Hirkani Kaksh* where a nursing mother, a lactating mother can breastfeed her child even when she likes to

work. She said the scope for providing maternity benefits to women in unorganized sector should also be looked in to.

**Smt. M. Vasanthi** (AIADMK) mentioned the measures taken by the Tamil Nadu government for women’s welfare, especially related to maternity benefits. **Dr Ratna De** (Nag) (AITC) suggested for establishing a monitoring mechanism and decentralized grievance redressal system for non-implementation of the Act. **Shri Tathagata Satpathy** (BJD) said when an employer has to give paid leave to one of his employees for a long period of time, the employer may try to restrain women from joining work.

**Shri Arvind Sawant** (Shiv Sena) wanted to know whether the law will be implemented in SEZ (special economic zones) sector because most of the women are working in IT sector established in SEZs. **Dr Ravindra Babu Pandula** (TDP) suggested that instead of giving the maternity benefits after the delivery of the child, the benefits may be given during pregnancy and after delivery.

Praising the Bill, **Dr Boora Narsaiah Goud** (TRS) said in the women intensive labour industry, if the employer has to totally bear the entire expenditure, it may boomerang on the employability of women. The provision of a minimum of 50 employees for crèche facility is not women friendly and it should be need-based and not number-based.

**Shri P.K. Biju** (CPI-M) said the provision of the Bill to allow a woman to work from home may be misused by an employer who may ask the mother to work from home

even though she is entitled to maternity benefits. He requested the government to extend the maternity benefit leave to workers in the unorganised sector.

**Smt. Supriya Sule** (NCP) wanted to know whether the 26 weeks leave can be divided at different times. **Dr Virendra Kumar** (BJP) observed that many employers are reluctant to recruit newly married or pregnant women and social security should be given to women working as domestic maids and those engaged in building construction.

**Dr Kakoli Ghosh Dastidar** (AITC) suggested for universalizing institutional delivery to identify women who need more care. **Dr Sanjay Jaiswal** (BJP) requested the Minister to consider paternity leave also, as the father is equally responsible for the upbringing of the child. **Shri E. T. Mohammad Basheer** (IUML) said if the maternity issue of women in unorganised sector is not addressed, the very purpose of this Act will be defeated.

**Smt. Bijoya Chakravarty** (BJP) stressed upon the need to spread awareness and education among women to achieve good results. **Shri Kaushalendra Kumar** (JD-U) pressed for providing crèches in private sector and government help to women working in unorganised sector.

**Smt. Santosh Ahlawat** (BJP) believed the Bill will greatly help the working mothers and asked the government to provide such benefits to women working in unorganised sector. **Shri N.K. Premachandran** (RSP) said some legislation should be brought in for the benefit of women workers in the unorganised sector and crèches should be provided in every establishment. **Smt. Jayshreeben Patel** (BJP) praised the government for increasing maternity benefits. **Shri Dushyant Chautala** (INLD) asked the government to provide similar benefits to women working in unorganised sector and make a provision that permits working women especially in para-military forces and military not to be deployed in high pressure zones. **Shri Ramesh Bidhuri** (BJP) said increasing the maternity leave has empowered women.

Replying to the debate, **Shri Dattatreya** said the government is concentrating on job security, wage security and social security and the State governments have to play a major role as labour is under the concurrent list. Saluting the States who have exceeded the maternity benefits provided in the Bill, he informed that the government will create more social security network for workers engaged in the unorganised sector.



# THIRD READING: INDIA

## The Payment of Wages (Amendment) Bill, 2017

*The Payment of Wages Act, 1936* (the Act) regulates the payment of wages of certain classes of employed persons. The Act was amended several times and last amended in 2005. Section 6 of the Act provides that all wages shall be paid in current coin or currency notes or in both. However, proviso to said section enables the employer to pay the wages to an employee either by cheque or by crediting the wages in his bank account after obtaining his written authorisation.

With the passage of time, technology had been changed and a large section of the employed persons now have their bank accounts. Hence, it was felt that the payment of wages through cheque or crediting it in the bank account of employed persons would reduce the complaints regarding non-payment or less payment of minimum wages, besides serving the objectives of digital and cashless economy. The State Governments of Andhra Pradesh, Uttarakhand, Punjab, Kerala and Haryana had already made provisions in the said Act for payment of wages to the employed persons either by cheque or by crediting the wages in their bank account, by making State amendments to the Act.

The Central Government, therefore, considered it necessary to bring a legislation to make amendments to the Payment of Wages Act, 1936 so as to enable the employer to pay the wages to the employed person also by cheque or crediting it to their bank account and also to enable the appropriate Government to specify the industrial or other establishments, by notification in the Official Gazette, which shall pay to every employed person, the wages only by cheque or by crediting in his bank account; and accordingly, introduced the *Payment of Wages (Amendment) Bill, 2016* in the Lok Sabha on 15 December 2016. However, the said Bill could not be taken up for consideration and passing in the Lok Sabha at that point of time.

As both the Houses of Parliament were not in session and immediate action was required to be taken to ensure that the benefits of the proposed legislation reach the employed person at the earliest, the President of India in exercise of his powers under Article 123 of the Constitution of India promulgated the *Payment of Wages (Amendment) Ordinance, 2016* on 28 December 2016.

Subsequently, the Government brought forward the *Payment of Wages Act, 1936* to replace the *Payment of Wages (Amendment) Ordinance, 2016* with the *Payment of Wages (Amendment) Bill, 2017*.

The Ordinance Replacing Bill substituted the existing Section 6 of the Parent Act with a new Section 6 which provided that all wages shall be paid in current coin or currency notes or by cheque or by crediting the wages in the bank account of the employee. Proviso to this new Section also stipulated that the appropriate Government may by notification in the official gazette, specify the industrial or other establishment, the employer of which shall pay to every person employed in such industrial or other establishment, the wages only by cheque or by crediting the wages in his bank account.

The Repealing and Savings clause provided for repeal of the *Payment of Wages (Amendment) Ordinance, 2016*. It had been further provided that notwithstanding such repeal, anything done or any action taken under the Payment of Wages Act, 1936, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the said Act, as amended by the Ordinance Replacing Act.

## Debate

The Minister in-charge while piloting the Bill inter alia stated that the Act of 1936 benefits the workers, especially unorganized workers who are more vulnerable for exploitation. He also stated that the Government desired transparency and to stop the exploitation of workers. Further, for quite sometime one of the major demands of trade unions was that payment of wages should be made to workers in the form of cheques or it should be deposited in their bank accounts.

The Amending Act seeks to regulate payment of wages to workers in any factory and in the industrial sphere, the payment of wages of workers in railways, oil fields and 45 other establishments in a fair and transparent manner. The Bill made with a broad consensus among Members from all sections of the House. However, some concerns were expressed in regard to the fate of workers in the unorganized sector. The Members also desired effective implementation of digital mode of payment. Members also felt that the vulnerable sections of

the society, like the Scheduled Castes and the Scheduled Tribes who are more likely to suffer in the hands of the private operators, should be protected and their interests need to be taken care of in right earnest.

The Minister while appreciating the all-round support from Members to this legislation, had assured that the Government would take all necessary steps for the benefit and fair treatment of labourers. However, as the subject comes under the Concurrent List, the Minister observed that the respective State Governments owe major responsibility in this regard and had complimented the States which had taken proactive steps in this direction.

The Bill was passed by Lok Sabha on 7 February 2017 and by Rajya Sabha on 8 February 2017. The Bill as passed by both the Houses of Parliament was assented to by the President of India on 15 February 2017.

## The Specified Bank Notes (Cessation of Liabilities) Bill, 2017

In order to eliminate the unaccounted money and fake Indian currency notes from the financial system, the Government of India, on the recommendations of the Central Board of the Reserve Bank, *vide* its notification dated the 8 November 2016, declared that the existing series of the bank notes of the denominational value of five hundred rupees and one thousand rupees as not legal tender with effect from 9 November 2016 to the extent specified in the said notification.

Subsequent to the issuance of the aforesaid notification, it was felt necessary by the Government to provide clarity and finality on the following issues:

(a) sub-section (1) of section 34 of the Reserve Bank of India Act, 1934 provides that the liabilities of the Reserve Bank shall be an amount equal to the total of the amount of the currency notes of the Government of India and bank notes for the time being in circulation. Since the Reserve Bank cannot discharge its liabilities on its own for such notes, it became necessary to enact law to discharge such liabilities;

(b) sub-section (1) of section 26 of the Reserve Bank of India Act, 1934 provides that every bank note shall be guaranteed by the Central Government. Though the legal tender character of the Specified Bank Notes had ceased by the said notification issued by the





Government of India, it was felt necessary to withdraw the said guarantee by law; and

(c) there was possibility of running in a parallel economy by unscrupulous elements with Specified Bank Notes unless the possession of such note was declared illegal.

Under these circumstances, the Government felt it necessary to bring a legislation on Specified Bank Notes. As Parliament was not in session and an urgent legislation was required to be made, the President of India promulgated the *Specified Bank Notes (Cessation of Liabilities) Ordinance, 2016* on 31 December 2016 in exercise of his powers under provisions of Article 123 of the Constitution of India for cessation of liabilities in the Specified Bank Notes.

The Ordinance *inter alia* provided:

(a) that the specified bank notes which had ceased to be legal tender shall cease to be liability of the Reserve Bank of India and the Central Government;

(b) that a citizen of India (who makes a declaration that he was outside India between 9 November to 30 December 2016) holding specified bank notes on or before 8 November 2016 shall be entitled to tender within the grace period with such declarations or statements, at such offices of the Reserve Bank or in such other manner as may be specified by it;

(c) prohibition on the holding, transferring or receiving of the Specified Bank Notes from the appointed day i.e. 31 December 2016;

(d) imposition of penalty for contravention of provisions of the proposed Ordinance and to confer power upon the court of a first class Magistrate to impose such penalty.

The Government thereafter brought forward the Ordinance Replacing Bill, namely, the *Specified Bank Notes (Cessation of Liabilities) Bill, 2017*.

#### Debate

The Minister in-charge of the Bill while commending the Bill for consideration and passing *inter alia* observed that on 8 November 2016 the Prime Minister of India on behalf of Government of India had announced that the high denominational currency had ceased to be legal tender. The action was taken under Section 22(2) of the Reserve Bank of India Act (RBI Act). The obvious intention was to curb the vices of large quantum of cash currency operating in the system. This in fact leads to a large number of transactions in cash which involves evasion of taxes.

During the discussion on the Bill in Lok

Sabha there were mixed reactions among Members of Lok Sabha. The Members who supported the Bill *inter alia* made the following observations:

- It was the need of the hour to take such a decision. The Government had taken forward the direct benefit transfer scheme. The Government also brought forward Benami Property Act and income disclosure scheme, thereafter the landing step was that of demonetization.
- It was felt that if any decision is taken for the welfare, reconstruction and benefit of the country with clear intention, the people of the country stand with the Government despite various hardships.
- This move has strengthened India's attack on corruption, money laundering and financing terrorist activities. The thrust actually was for promoting a transparent, corruption free and cashless economy. The favourable consequential fall out has been that incidents of stone pelting and terrorism had stopped in the state of Jammu and Kashmir.
- Terrorism had ebbed, black money had been contained and there has been increase in tax collection.
- Consequently this would lead to boost to the national economy, availability of loans at cheaper interest rates, formulation of welfare schemes and generation of employment.

The Members who were skeptical of the move were *inter alia* of the view that:

- The Government should have brought forward a Bill for having legislative backing of the demonetization process.
- The Ordinance route adopted by the Government to ratify the demonetization process was not proper.
- In India since over 90% of the financial transactions are made in cash and over 85% of the workers in the country are paid in cash, the everyday economy was grounded to a standstill.
- Small producers could not get working capital; some businesses had to shut down and mainly daily wage workers lost their jobs.
- Rural banking had been severely affected. Dairy, agriculture and fishing had also been severely affected.
- Doubts were expressed whether it is constitutional to deny any customer from withdrawing his own money from a bank without a law being made. The Government need to make efforts to

estimate the economic losses caused by the demonetization programmes.

The Minister while replying to the debate stated that on 8 November 2016 after receiving the recommendation of the RBI Central Board, the Government of India through a decision of the Union Cabinet took a decision that high denomination currency of Rs. 500 and Rs. 1,000 shall cease to be a legal tender. However, the liability of the RBI to pay on demand continued to remain. The Minister also stated that no economy in the world allows possession of a parallel economy or a parallel currency which can operate in the market. Therefore, once the given grace period was over, the said currency which is left over had to cease to exist. It was for this reason that the Ordinance was brought in under Section 26(1) of the RBI Act.

Hence, to the extent to which the said currency ceased to be a legal tender under Section 26(2) of the *Reserve Bank of India Act*, it can also be specified in the notification and that was why the second notification which was issued stipulated that this cessation of legal tender had taken place except to the extent that for hospitals or for paying toll or for buying medicines or specified purposes like payment at railway stations. In regard to concerns expressed that farmers had suffered a lot, the Minister assured that there is no tax on the farmers and it was never going to happen in future. The Minister also assured that demonetization would result in lesser interest rates and would also lead to increase tax collection in the States and the Centre.

The Bill was passed by Lok Sabha on 7 February 2017. The Bill, as passed by Lok Sabha and transmitted to Rajya Sabha for its recommendations was not returned to Lok Sabha within the period of fourteen days from the date of its receipt in Rajya Sabha Secretariat. The Bill was deemed to have been passed by both Houses at the expiration of the said period in the form in which it was passed by Lok Sabha under clause (5) of Article 109 of the Constitution. The Bill was, thereafter, assented to by the President of India on 27 February 2017. Consequently, the *Specified Bank Notes (Cessation of Liabilities) Ordinance, 2016* stood repealed and was replaced by the *Specified Bank Notes (Cessation of Liabilities) Act, 2017*.

## Rabi Ray, the quintessential Speaker of India (1926 – 2017)

**Rabi Ray**, born in the Puri district of Odisha state was Speaker of the Ninth Lok Sabha (1989-1991, dissolved prematurely). Albeit re-elected to the Tenth Lok Sabha, he withdrew from contentious party politics following the tradition of great speakers and led the life of a reflective recluse, a brooding statesman. I had the good fortune of working under his speakership and interacting with him as a young legislative officer in the Lok Sabha. Perhaps rank did not matter to him as he was a socialist to the core, unaffected by the trappings of an official position, readily accessible and spartan.

To be in his close proximity was eclectic. He enthused the officers and staff by observing that “*servicing the parliament must be construed a privilege, an ennobling enterprise.*” His sagacious advice to the officials was, “*be faithful to conflicting shades of opinions, be observant, disinterested and objective.*” He belonged to the great league of Speakers like V. P. Patel (pre-independence) and G.V. Mavalankar, who propounded and upheld the principle that the Secretariats of Parliament must be placed on an independent footing and be free from the control of the Executive, the cardinal principle of constitutionalism since enshrined in article 98 of the Constitution. Although, of course this article and the separation of powers has been challenged as successive senior positions in the Secretariats have been allocated to officers from the executive branch.

As Speaker, Rabi Ray had, perhaps, the toughest call when he had to give ruling on defection which had grave implications for the survival or otherwise of the very Government responsible for electing (though unanimously) him to the post of the Speaker. On 6 November 1990, a group of 58 MPs of Lok Sabha formed a breakaway group under the name of *Janata Dal* (S). The precise question was about the timing of the split *vis a vis* the timing of expulsion in view of claims and counter claims from either side.

Displaying the quintessential integrity and imperturbable judicial

temperament and mindful of the consequences that the Government would be reduced to minority, he gave an impartial ruling which was widely acclaimed as bold and of far reaching import raising his stature as an independent-judicious Speaker. He admitted the impeachment motion against a sitting judge of the apex court and constituted a committee composed of judges and jurists to investigate the allegations. The committee found the impugned judge guilty of 11, out of 14, charges. His decision was challenged in the Supreme Court but the apex court upheld his decision. It is another matter that the motion for removal fell through as the ruling Congress and its allies abstained.

Another ground breaking decision taken by him was about the regulation of the zero hour. An avowed proponent of democratic pluralism and the right of MPs, he evolved political consensus so that Members were able to articulate matters of urgent public importance during zero hour and the precious time of the House was saved. This innovation has stood the test of time. He was also responsible for introducing the Subject Committees, paving the way for setting up of the Department-related Standing Committees.

Transparency was an article of faith with him and he made earnest endeavours to see that the proceedings of parliament are 'live' telecast and for which purpose he took a definitive initiative. The Presidential Address was first 'live' telecast on 20<sup>th</sup> December 1989 though the initiative to 'live' telecast the House proceedings fructified later.

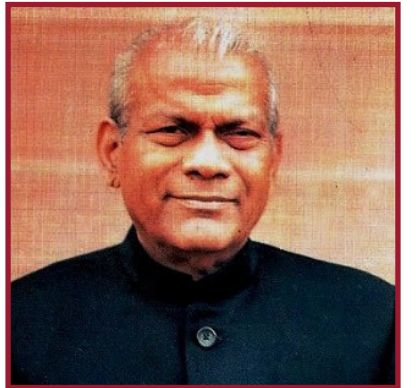
The field of parliamentary diplomacy, not in popular parlance then, earned wide currency and earned opprobrium as he nominated MPs on parliamentary delegations for goodwill visits who were knowledgeable and articulate enough to project effectively the national interest in a global perspective as high plenipotentiary of the state. His book, *Parliamentary Diplomacy*, has a ring of contemporary immediacy and contextual relevance.

Clad in simple *khadi-Kurta* and *dhoti*, he was an epitome of

transparent simplicity and honesty and commanded innate respect and adoration of the plebeians and the Parliamentarians alike. His stature rose further when he refused to sit in the Mercedes car, the official vehicle, used by his predecessor as Speaker, and preferred an ambassador car (much cheaper and more economic) for official engagements. He had stern instructions to his personal staff and nobody could dare flout him for his austere simplicity.

He was first elected to the Fourth Lok Sabha and later to the Rajya Sabha. He was Minister for Health and Family Welfare in the Morarji Desai Cabinet and also General Secretary of the Janata Party. As a student leader, he was arrested for unfurling the National Flag by the British Army laying the foundation of his politics in the independent India. He was arrested during the emergency and jailed. His ideas and thoughts kick-started debates as he wrote with deep concern and conviction in the *Chaukhamba*, a Hindi weekly of (the then) Socialist Party and *Samata*, an Oriya monthly. He was a socialist to the core and a profound thinker of great intellectual integrity. His speeches and writings were deeply reflective, forthright and constructive. He had observed presciently long ago that “*the Congress of today has become the BJP of yesteryears and vice versa.*” Today, the way the leaders switch sides shows beyond doubt that there is hardly any ideological distinction between parties and such parties cannot claim to “*be parties with a difference.*”

Rabi Ray exemplified the hallowed principle that the Speaker shuns party politics as he belongs to all sides of the House or to none. His landmark judgement declaring the split in the ruling Janata Party; upholding the law and the Constitution by rejecting the arguments of the ruling party; the procedural innovations and the initiatives taken by him to 'live' telecast the proceeding (which of course materialized later); the



encouragement that he extended to the Members to participate in the debates; and his complete neutrality as Speaker; endeared him as the true guardian of the rights and privileges of the Members.

After completing his last term as a Member of the Tenth Lok Sabha, he withdrew from active politics but continued to advance the cause of the poor and the marginalized through his outreach programmes of socio-economic reconstruction through voluntary organisations, extended conversations and writings despite indifferent health. Much after he had renounced active politics, whenever he came to Delhi for medical aid, many senior leaders, cutting across the political spectrum, made it a point to meet him and talked of his rehabilitation but he refused any gubernatorial assignment.

It is said that the Office of the Speaker “*does not demand rare qualities but it demands common qualities in rare degree.*” Rabi Ray was endowed with those qualities in abundant measure. He brought the fresh breeze of glasnost and perestroika in parliamentary administration, which was still shackled by the ethos of emergency. His calm disposition, patience, dignity of voice and bearing, spartan life, impartiality and his distinct contribution to anti-defection law and parliamentary procedure, is a great enough legacy to secure him a permanent place in our democratic pantheon.

**By Devender Singh, Former Additional Secretary, Lok Sabha, a scholar of constitutional and parliamentary studies and author of *The Indian Parliament: Beyond the seal and signature of democracy.***



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