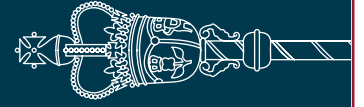


The Parliamentarian



Journal of the Parliaments of the Commonwealth

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CONFERENCE ISSUE: 64th Commonwealth Parliamentary Conference in Uganda



PLUS ▶

*'Adaption, engagement,
and evolution of
Parliaments in a rapidly
changing Commonwealth'*

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STATEMENT OF PURPOSE



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

Calendar of Forthcoming Events

Confirmed as of 11 November 2019

2020

6 to 11 January	25 th Conference of the Speakers and Presiding Officers of the Commonwealth (CSPOC), Canada.
15 to 19 January	7 th CPA India Regional Conference, Lucknow, Uttar Pradesh, India
21 to 23 January	Commonwealth Association of Public Accounts Committees (CAPAC) Regional Workshop Series: Caribbean, Port of Spain, Trinidad & Tobago
29 to 31 January	CPA Small Branches Sustainable Economic Development Workshop, Valetta, Malta
16 to 22 February	Commonwealth Women Parliamentarians British Islands and Mediterranean Region Conference, Falkland Islands
Sunday 8 March	International Women's Day
Monday 9 March	Commonwealth Day
17 to 19 March	Commonwealth Association of Public Accounts Committees (CAPAC) Conference, London, UK
24 to 28 April	Mid-Year meeting of the CPA Executive Committee, Assam, India
22 to 27 June	Commonwealth Heads of Government Meeting (CHOGM), Kigali, Rwanda

2021

12 to 18 January 2021 65th Commonwealth Parliamentary Conference, Halifax, Nova Scotia, Canada

The CPA calendar fosters the exchange of events and activities between CPA Regions and Branches. For further information on any events, please contact the CPA Branch concerned or the CPA Headquarters Secretariat. CPA Branch Secretaries are asked to send notices of CPA events to hq.sec@cpahq.org in advance of the publication deadline to ensure the calendar is accurate.

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



CPA Parliamentary Fundamentals Programme

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

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COMMONWEALTH PARLIAMENTARIANS URGED TO UPHOLD DEMOCRATIC PRINCIPLES AT THE 64TH COMMONWEALTH PARLIAMENTARY CONFERENCE IN UGANDA

The Editor's Note

This special conference issue of *The Parliamentarian* features one of the largest annual gatherings of Commonwealth Parliamentarians, the 64th Commonwealth Parliamentary Conference (CPC) in Kampala, Uganda from 22 to 29 September 2019, which addressed key global issues and solutions. Against a backdrop of greater scrutiny of Parliamentarians and the overall public trust deficit in Parliaments, the CPA's annual conference offered the opportunity for Members to benefit from professional development, supportive learning and the sharing of best practice with colleagues from over 180 Commonwealth Parliaments together with the participation of leading international organisations. The overall main conference theme for the 64th CPC was 'Adaption, engagement, and evolution of Parliaments in a rapidly changing Commonwealth'.

Delegates were welcomed by the President of the Republic of Uganda and Vice-Patron of the Commonwealth Parliamentary Association (CPA), His Excellency Yoweri K. Museveni who urged Commonwealth Parliamentarians to uphold democratic principles as he opened the 64th CPC against the backdrop of Lake Victoria in Uganda. The President of Uganda also read to delegates the goodwill message for the 64th CPC from Her Majesty Queen Elizabeth II, Patron of the CPA and Head of the Commonwealth.

The 64th CPC was hosted by the CPA President (2018-2019), Rt Hon. Rebecca Kadaga, Speaker of the Parliament of Uganda who welcomed Parliamentarians from around the Commonwealth and spoke of Uganda's pride at hosting the CPC for the second time, 52 years after first hosting the 13th Commonwealth Parliamentary Conference in 1967.

The Chairperson of the CPA Executive Committee, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon spoke about the CPA's role in connecting Parliamentarians and parliamentary staff in their quest for good governance and the enduring values of the Commonwealth. The CPA Headquarters Secretariat was represented by Mr Jarvis Matiya, CPA Acting Secretary-General who spoke of the CPA's work in the national and provincial, unitary, federal and territorial Parliaments of the Commonwealth. The CPA enables its Members to exchange views and deepen their understanding of their roles and responsibilities as the people's representatives.

Workshops were held during the conference on a wide range of topics including the role of Parliament in addressing the challenges of democracy; climate change in the Commonwealth context; combating rapid urbanisation and rural decline; the possible effects of United Kingdom 'Brexit'; and the role of Parliament in facilitating persons with disabilities as electors, candidates and legislators. For the second time, a youth roundtable was held at the conference with Members of Parliament and local youth groups.

Commonwealth Parliamentarians from the CPA Small Branches held

their 37th annual conference prior to the 64th CPC in Uganda and, led by Hon. Angelo Farrugia, MP, Chairperson of the CPA Small Branches and Speaker of the House of Representatives of the Parliament of Malta, focused on the unique challenges affecting small Parliaments

and Legislatures across the Commonwealth. The CPA Small Branches Conference held thematic sessions for Members that discussed the building of parliamentary capacity for CPA Small Branches and creating greater opportunities for the sharing of knowledge and cooperation across the network.

Equal representation for women in Parliaments and gender empowerment was the focus for the sixth triennial Commonwealth Women Parliamentarians (CWP) Conference and Hon. Dr Dato' Noraini Ahmad, MP, CWP Chairperson led the workshop sessions over two days. The theme of the CWP Conference was 'CWP at 30 years: Achievements and Unfinished Business – Looking forward to the next 30 years' in recognition of the CWP's 30th anniversary in 2019. Over 100 Commonwealth Women Parliamentarians attended

the conference from across the Commonwealth. The CWP conference saw leading figures in Commonwealth Parliaments addressing the delegates and included four wide-ranging sessions for Commonwealth Women Parliamentarians.

This issue of *The Parliamentarian* also features a report from the 55th General Meeting of the Society-of-Clerks-at-the-Table (SoCATT) in Uganda where Commonwealth Parliamentary Clerks had the opportunity to share best practice and innovations in Parliaments.

The 64th CPC Conference Concluding Statement containing all of the outcomes and recommendations from the conference workshops is available online at: www.cpahq.org/cpahq/cpc2019concludingstatement.

UK Education Minister, Rt Hon. Nick Gibb writes in this issue of *The Parliamentarian* about the Queen Elizabeth Commonwealth Scholarships and the Commonwealth Scholarship and Fellowship (CSFP) which celebrates its 60th anniversary this year.

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

We look forward to hearing your feedback and comments on this issue of *The Parliamentarian* and to receive your future contributions to this publication.



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

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Editor, *The Parliamentarian*
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64th Commonwealth Parliamentary Conference Photo Gallery



Images from the 64th Commonwealth Parliamentary Conference: For more images from the conference please visit the **CPA Flickr website** at www.cpa.org/cpa/flickr where you can view, share and download images.





President of Uganda urges Commonwealth Parliamentarians to uphold parliamentary democracy at 64th Commonwealth Parliamentary Conference

The President of the Republic of Uganda and Vice-Patron of the Commonwealth Parliamentary Association (CPA), His Excellency Yoweri K. Museveni urged Commonwealth Parliamentarians to uphold democratic principles and the values of the Commonwealth as he opened the 64th Commonwealth Parliamentary Conference (64th CPC) for over 500 delegates in Kampala, Uganda. The President of Uganda spoke of the Commonwealth having great potential through its common language and opportunities for cooperation on trade, culture and governance.

The President of Uganda said that one of the Commonwealth's greatest achievements are its democratic institutions and that the huge population of the Commonwealth – 2.4 billion people – offers great opportunities to work together on trade, peace and democracy.

The President of Uganda also read the goodwill message to the conference from Her Majesty Queen Elizabeth II, Patron of the Commonwealth Parliamentary Association and Head of the Commonwealth. Since 1989, the Vice-Patron of the Commonwealth Parliamentary



Association has traditionally been the Head of State or Government of the CPA Branch hosting the annual Commonwealth Parliamentary Conference.

One of the largest annual gatherings of Commonwealth Parliamentarians, the conference addressed key global issues and solutions. Against a backdrop of greater scrutiny of Parliamentarians, the CPA's annual conference offered the opportunity for Members to benefit from professional development, supportive learning and the sharing of best practice with colleagues from over 180 Commonwealth Parliaments together with the participation of leading international organisations. The main conference theme for the 64th CPC was: 'Adaption, engagement, and evolution of Parliaments in a rapidly changing Commonwealth'.

The 64th CPC was hosted by the CPA President (2018-2019), Rt Hon. Rebecca Kadaga, Speaker of the Parliament of Uganda who said at the opening ceremony: "The CPA annual conference was last in Uganda in 1967 when the CPA Uganda Branch hosted the 13th Commonwealth Parliamentary Conference. The fact that it has taken 52 years to host this conference again might reflect the struggles Uganda's fledgling democracy faced in the past. But those dark days are long behind us. We have since evolved to become one of the reliable members of the Commonwealth Parliamentary Association (CPA), internationally and regionally. I want to believe this is why we have been trusted



To read the **64th CPC Conference Concluding Statement** please visit www.cpahq.org/cpahq/cpc2019concludingstatement.



to host this landmark event again. We are delighted to be hosting the 64th Commonwealth Parliamentary Conference in 2019 and to welcome Parliamentarians from across the Commonwealth. Parliamentarians are the bridge between the people and the government.”

The Chairperson of the CPA Executive Committee, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon said: “The CPA connects, develops, promotes and supports Parliamentarians and parliamentary staff to identify benchmarks of good governance and the implementation of the enduring values of the Commonwealth. CPA activities focus on the Commonwealth’s commitment to its fundamental political values, including: just and honest government, the alleviation of poverty, fundamental human rights, international peace and order, global economic development, the rule of law, equal rights and representation for all citizens of both genders, the separation of powers among the three branches of government and the right to participate in free and democratic political processes.”

The CPA Headquarters Secretariat was represented by Mr Jarvis Matiya, CPA Acting Secretary-General at the opening ceremony of the conference and he said: “The CPA is a force for good on democracy, good governance and development. It represents and connects Commonwealth Parliaments, national and provincial, unitary, federal and territorial, large and small. It enables its Members to exchange views and deepen their understanding of their roles and responsibilities as the people’s representatives.”

The vote of thanks on behalf of Parliamentarians and parliamentary staff attending the conference was given

by the CPA Africa Region Chairperson, Rt Hon. Justin B. Muturi, MP, Speaker of the National Assembly of Kenya.

During the 64th Commonwealth Parliamentary Conference, there were also a number of additional conferences and meetings including: 37th CPA Small Branches Conference; 6th triennial Commonwealth Women Parliamentarians (CWP) Conference; 64th CPA General Assembly; meetings of the CPA Executive Committee; and the 55th Society of Clerks at the Table (SOCATT) meetings. Elections were also held for the Chairperson of the Commonwealth Women Parliamentarians (CWP), the CPA Treasurer and the CPA Small Branches Chairperson for new three-year terms and the conference programme included conference workshops for Parliamentarians, with some workshops focusing on gender, youth and the CPA’s Small Branches.

The Commonwealth Parliamentary Association (CPA) organises its annual Commonwealth Parliamentary Conference (CPC) to address global political issues and developments in the parliamentary system through conference workshops and sessions for leading Parliamentarians representing Parliaments and Legislatures throughout the Commonwealth. These plenary conferences were biennial from 1948 to 1959 and annual since 1961. A summary of the main views expressed in conference debates is sent to Members, Commonwealth governments and international agencies

Reports from all of the events and workshops at the 64th CPC appear in this Conference issue of *The Parliamentarian*.

Further information about 64th CPC can be found at www.cpahq.org/cpahq/cpc2019 and for images of the conference please visit www.cpahq.org/cpahq/flickr.

64th Commonwealth Parliamentary Conference: CPA Flickr Images Albums: For images of the 64th Commonwealth Parliamentary Conference please visit: www.cpahq.org/cpahq/flickr.



ADAPTION, ENGAGEMENT, AND EVOLUTION OF PARLIAMENTS IN A RAPIDLY CHANGING COMMONWEALTH



64th COMMONWEALTH PARLIAMENTS CONFERENCE

Kampala, Uganda

22 to 29 September 2019

Opening Ceremony - 26 September 2019

The President of the Republic of Uganda and Vice-Patron of the Commonwealth Parliamentary Association (CPA), His Excellency Yoweri K. Museveni.

On the behalf of the people of Uganda, I welcome you, the members of the CPA, again, to Uganda. You are most welcome. I say that I welcome you to Uganda, again, because I was very much here when you were here last, 52 years ago. I was not in the meetings themselves. I was, however, 23 years old at that time, a first-year student in the University of Dar-es-Salaam and already a very active student leader, leading the University Students African Revolutionary Front (USARF). The meeting must have taken place during the short holiday because I remember I was in Uganda and not in Dar-es-Salaam.

I normally, tell my young Party/ Movement comrades that what they call history, I call current affairs. Hence, while for many of you the meeting that took place here 52 years ago is history, for me it is current affairs.

I would like to recognize the support of Her Majesty Queen Elizabeth II, the Queen of the United Kingdom, who is the Patron of the Commonwealth Parliamentary Conference (CPC).

Let me appreciate the CPA Chairperson, Hon. Emilia Monjowa Lifaka and the CPA Secretary-General. I thank you all for the invitation to speak to you today.

The host, Speaker of the Parliament of Uganda, Rt. Hon. Rebecca Kadaga, has been doing a lot in our country and through the Commonwealth Parliamentary Association networks over the years. These efforts must be the reason we are hosting the CPC in Kampala today. I congratulate her, the Members of Parliament and the Uganda Secretariat of the CPA for successfully organising this conference and appreciate their hard work.

The newspapers in Uganda have been reminding us that the two controversial issues of that time were: the regime of Ian Smith in Rhodesia and the United Kingdom (UK) joining the European Union (EU) and abandoning the Commonwealth special economic arrangements.

Since that time, the issue of Rhodesia was unilaterally resolved by Africa through the war of liberation executed by ZANU and ZAPU, supported by Africa and the socialist countries. It is good that the British government, under UK Prime Minister Margaret Thatcher, came in, last minute, to facilitate the transition with Lord Soames and those other arrangements.

The issue of the UK membership in the EU is, of course, back in the news, with 'Brexit'. The people of the UK, through internal processes, have the capacity to direct the destiny of that country.

When I met Her Majesty The Queen in 1987, I told her that the Commonwealth was an Association of great potential. With a population of 2.4 billion people, it is the only international organisation that I attend, and I do not have to put up with the inconvenience of translation with ear appliances.

We can communicate directly through the use of the English language. This is a phenomenon of great potential if it is properly used. We could cooperate in security, investments, culture and governance. Can we revive the preferential trade arrangements? Here in Africa, we are now committed to the CFTA, to COMESA and EAC. What preferential commercial arrangement could Africa have with the UK, with France or with Portugal? Of course, we have

some arrangements with the EU that includes France. Maybe we could have arrangements with the UK, even when they are out of the EU, as well as with the other Commonwealth countries such as India, Canada, Australia, Pakistan, etc.; but as the Continental Free Trade Area (CFTA) - the whole of Africa, not portions of it.

However, unfortunately, much of this potential is clouded by ideological disorientation, bigotry, egocentrism and myopia. A lot of time and energy is spent on the enterprise of some groups trying to control the destiny of other people. This is wrong and unnecessary. History is our good teacher on this.

Man has been here for the last 4 and a half million years, ever since we evolved as wise primates known as *homo sapiens*, from the earlier species. Right from the beginning, the problems facing man were two: oppression of man by nature and oppression of man by fellow men. Oppression of man by nature involved: floods, drought, disease, landslides, wild beasts, darkness, cold, etc., etc. Oppression of man by man involved: slavery, colonialism, neo-colonialism, fascism, etc. In a recent speech in Japan, I pointed out that for much of the human history, man could not ably tame nature on account of the limited knowledge by man as far as the scientific laws were concerned. Gradually, however, man invented fire around 1.5 million years ago; started domesticating crops around 10,000 BC; started domesticating livestock around the same time; and invented iron tools, around 1200 BC.

Nevertheless, even with those advances, man continued to rely on human muscle and the muscle of beasts. Human muscle

involved the use of the hand-hoe, blacksmithing, carpentry, clay-work (*okunogooro, kubuumba*), etc.; and beast muscle involved the use of donkeys, camels, horses, etc.

This use of human and beast muscle meant low quantities of production and low speeds in terms of activity. However, in the year 1438, Johannes Gutenberg invented the printing press. In the year 1698, Thomas Savery invented the steam engine for pumping water and in the year 1823, George Stevenson converted the steam engine to the task of pulling railway engines. This constituted the First Industrial Revolution. Since that time, portions of humanity have been through the Second and the Third Industrial Revolutions. On account of some historical events, mainly precipitated by the internal weaknesses of Africa and also on account of external greed during the period when some portions of humanity were being emancipated from the reliance on human and beast muscle power, Africa was in the throes of the slave trade, colonialism and neo-colonialism. Therefore, Africa, largely, missed out. Nevertheless, by a combination of factors, Africa, along with other colonized peoples in India, Indonesia, Indo-China, Pakistan, etc., shook off the shackles of colonialism and regained their freedom, the last being South Africa in 1994.

Now that colonialism has been defeated, our advice to friends is that egocentrism, greed and bigotry should be banished so that we use the enhanced scientific knowledge of man to cause the universal wellbeing of the whole of humanity without exception. Unfortunately, greed continues to obstruct the mutually beneficial interaction within the different portions of the human



race and to block the optimum use of scientific knowledge for the universal benefit of man as a whole. Artificial conflicts, propelled by greed or ignorance, always cause avoidable losses and waste time. This greed and ignorance obscure the facts and impede human co-operation.

The other night, on the 24th September, at the reception of the Chinese, I pointed out that Karl Marx, in 1848, pointed out that up to that time, in the 4 and a half million years of human existence here on earth, man had gone through four social systems: the primitive communalism system (some of it still being practiced by some forest dwelling groups in Africa and the Amazon); the slave state (like ancient Rome); feudalism; and capitalism. Of the four social systems witnessed by man up to that time, the only rational ones were the primitive communal system and the capitalist system. The slave system and the feudal systems were restrictive, exploitative and irrational.

Capitalism, by emphasizing the minimization of costs in order to maximize profits, brought rationalisation into the production process. Also, by rewarding initiatives, it unleashed the productivity of society. In recent times, you have seen how people like Bill Gates of Microsoft and [Mark] Zuckerberg of Facebook, through introducing new technologies, have both built up a lot of wealth but also empowered society more. This has been the story of capitalism in the last 300 years in some parts of the Globe - innovation,

specialisation and exchange. By 1929, however, an irrationality had already been detected in capitalism. Maximization of profits meant minimization of costs, which, at that time, included minimization of wages. Low wages meant also low purchasing power. Low purchasing power meant low demand for the products of capitalism. The capitalist efficiency in the production of goods and services had to be balanced with the commensurate purchasing power; otherwise, the system would collapse.

That is how some economists like [John] Maynard Keynes came up with the socialist idea of the Welfare State, where the State would give free money to the citizens to enable them to buy the products of the capitalist factories.

By that hybridization, the challenge to capitalism of the disequilibrium between the productive capacity of the capitalism and the aggregate demand of the market, was transcended. Countries like China have further pushed forward the strategy of market socialism. As a consequence of this hybridization, the world has seen greater prosperity than in 1929 when capitalism faced the challenge of the disequilibrium between production and consumption.

I am quoting this example so as to advise the members of the Commonwealth using one of our proverbs: It says *"Oyorora zoon, tomany erahigye."* The translation is: *"When the dog puppies are young, you should feed all of them equally because you do not know*

which puppy will become a better hunter when the puppies are old."

It is wiser for the world leaders to respect the internal systems of each country and influence others by example. It says in the *Book of Mathew: Chapter 5 verses 15-16: "Let your light so shine before men, that they see your good deeds and praise your Father in heaven."* If our practices are correct, they will thrive and spread. If they are wrong, they will collapse. It is not necessary to generate crisis on account of differences in ideology. Let there be peaceful competition among different ideas.

The right one will emerge. When Karl Marx wrote his Communist Manifesto in 1848, there was not a single socialist country in the world. However, he pointed out that 'socialism' was in *"womb of capitalism"*. In 1917, a Socialist-Communist Revolution took place in the Soviet Union. In 1949, in China. In 1959, in Cuba. In the 1930s and, thereafter, the capitalist societies of Western Europe borrowed the socialist tools of the Welfare State, where free money was given by the State to lubricate the wheels of capitalism by bolstering the purchasing power of society.

As members of the Commonwealth, we all share the principles of democracy according to the principles of the Harare Declaration on Democracy of October 1991. Nevertheless, the forms of democracy are also different although the substance must be the same: one person, one vote, by secret ballot at regular intervals. Those are the principles of the Commonwealth. How, then, should the Commonwealth members deal with the other countries that are not members of the Commonwealth and who may have different social and political systems - Communist, Islamicist, etc.? My advice is what I have already said above. *"Let our light so shine before men, that they see our good deeds and praise our Father in heaven."*

We should not create crises in

attempts to coerce those people that have different ideas to be like us. The Berlin Wall Blockade of June 1948 - May 1949, the Korean War, the Vietnam War, the Cuban missile crisis of 1962, the Hungarian uprising of 1956 and its crushing by the Soviet forces, the Czechoslovakia uprising of 1968 and its crushing by the Soviet forces, the Soviet invasion of Afghanistan of 1979 and the counter-intervention by the Western countries by supporting the Mujahideen, the proxy wars in Angola, etc., etc., led to a lot of wastage of resources and life. Many of them ended with unintended consequences. Yet, we have seen bad systems collapsing by their own dynamics, without external pressure. The collapse of the Shah of Iran, the collapse of the Emperor of Ethiopia, the collapse of the communist system of Eastern Europe, etc., were not caused by wars from outside, but by internal weaknesses. When capitalism was challenging feudalism, one of the European leaders, Metternich, tried to use war, if I remember right; but ended up bringing ruin to Austria-Hungary.

On the other hand, we can see today that China is still a communist country with a governance system different from the one we use in the Commonwealth countries. The countries of the world by working peacefully with China, our social and political system being different notwithstanding, have done a lot of good to China and to the world. I have quoted these historical examples because I have noticed absence of serious scrutiny of historical phenomena and learning for them. Recently, I met a British lady in South Africa, and she said that she was heading an OECD think tank. I joked with her by asking: *"How can we have no thinking with so many think tanks in the world?"* I invited her to come to Uganda and see whether we can jointly attempt to think. We had the Commonwealth think tank in London, the Smart Partnership



Continued: The President of the Republic of Uganda's speech:

hub, led by Dr Michaela Smith. It did not get enough support from the Commonwealth. Uganda struggled to support the hub alone. I have not got the latest on that effort.

In conclusion, therefore, my view is that the Commonwealth countries, in substance, are democratic countries, albeit with variations in form; and this is a great achievement.

Secondly, the Commonwealth countries could use their numbers to mutually promote investments, work together on security, work on cultural exchanges and also examine the options on trade without disturbing the CFTA arrangements in Africa.

Thirdly, peacefully work with all countries of the world irrespective of their internal social systems for mutual advantage and on the basis of respecting the sovereignty of each country.

Fourthly, promote the spread of the benefits of scientific innovation because, like in all ages, the advances in science and technology, have always been the primers of change in society for good or for evil; but this time insisting that those advances are only for good and never for evil.

Fifthly, the protection of the environment must remain, not only a core point of our commitment but also a basis of our agreed point of action. The oppression of man by nature can be solved by the use of science throughout the whole round. The oppression of man by man is always better resolved by the affected communities, in some extreme situations supported by appropriate external solidarity. This is what we did with apartheid and colonialism.

I thank you. It is now my honour to open the Conference and to wish you fruitful deliberations.

**64th COMMONWEALTH PARLIAMENTARY CONFERENCE
Kampala, Uganda
22 to 29 September 2019**

Opening Ceremony - 26 September 2019

**CPA PRESIDENT AND SPEAKER OF UGANDA'S
OPENING ADDRESS AT 64TH COMMONWEALTH
PARLIAMENTARY CONFERENCE**

**Rt Hon. Rebecca Kadaga, MP, CPA President 2018-2019 and
Speaker of the Parliament of the Republic of Uganda.**

On behalf of the Parliament of Uganda and on behalf of all Ugandans, I warmly welcome you to the Pearl of Africa. You are welcome to the 64th Commonwealth Parliamentary Conference, which Uganda is extremely proud to host again. The country last played host to the 13th gathering of Commonwealth Parliamentarians in 1967. Our neighbours Kenya have had occasion to host it three times, so we are glad to finally join that table.

The fact that it has taken 52 years to host this conference again might reflect the struggles Uganda's fledgling democracy faced in the past. But those dark days are long behind us. We have since evolved to become one of the reliable members of the

Commonwealth Parliamentary Association (CPA), internationally and regionally. I want to believe this is why we have been trusted to host this landmark event again.

As the President-Designate of the CPA 2018-2019, I am excited to welcome delegates and legislators from the Commonwealth regions across the different continents. We have national, state, provincial and territorial legislatures represented here. We all stand as brothers and sisters with equal say in this body of Parliamentarians, regardless of size or economic strength. But having said this, I note with sadness the absence of The Bahamas, who suffered a disastrous hurricane leading to loss of hundreds of lives. I request us to stand up for a moment of

silence in honor of the absence of the Commonwealth family.

In a special way, let me appreciate our host President and Deputy Patron of the 64th Commonwealth Parliamentary Conference, His Excellency President Yoweri Museveni, for the support towards the organisation of this conference. He has supported the Uganda Parliament to host CPA Africa Region Conferences including the CSPOC Africa Region in 2009, Commonwealth Women Parliamentarians Africa Region in 2010, the 4th CPA Africa Youth Conference in 2018, as well as the CHOGM in 2007.

The CPA Uganda Branch is grateful to the CPA Secretariat for the logistical and advisory support in the months leading up to this event.

I want to report that the Uganda Branch Members and Secretariat have worked tirelessly to ensure that everything is in order, and I would like to thank them for their efforts.

Before I delve into the theme of this conference, allow me to heartily congratulate the Commonwealth Women Parliamentarians on marking 30 years of great work, raising the voices of women in positions of





authority. Thank you for fostering gender mainstreaming in the membership and processes in our Legislatures.

The last time the CPC convened in Uganda in 1967, the CWP was not yet in existence. I also would like to inform the delegates that as part of our history, we have made available pullouts of the 1967 Conference. I believe delegates might be interested to know what the topical issues were raised by your representatives then.

Fellow delegates, the theme of this year's conference is *'Adaption, engagement, and evolution of Parliaments in a rapidly changing Commonwealth'*. A lot is changing in our nations, from the demographic characteristics to the diversities of race, belief and people's needs.

There is a growing focus on greater scrutiny of Parliamentarians, coupled with a demand for accountability and transparency. At the same time, the public trust in Parliaments is flagging in most countries, yet the people increasingly expect more from their representatives.

In truth, it is not only the Commonwealth that is rapidly changing; one just has to read or watch the news to see that the rest of the world is experiencing the same growing pains. With globalization trends, International borders increasingly seem like mere demarcations, and the challenges we face cut across boundaries. We are faced by threats that do not know the colour of our skins, our creeds, our poverty, wealth, or political affiliations.

Some of the major issues we are forced to confront include: climate change, individual and group terrorism, hunger and malnutrition, old and new disease epidemics; local and regional conflicts; and the rising frequency and cost of natural and man-made disasters. These threaten the present and future wellbeing

of our citizens. We should not forget the ever-growing numbers of refugees, distressed persons, stateless persons in our countries.

As Parliamentarians, we are the bridges between Government and the people. They, therefore, rely on us to speak for them and to plan for them a future that is better than the present and the past. This conference theme awakens us as elected representatives of the people, to adapt, engage and evolve to match the challenges that we face.

Our workshops, roundtables, TED-style talks and mentoring sessions will give us opportunity to reflect on how we tackle these problems. How do we maximize our core functions of representation, legislation, oversight and budget appropriation? Our mandate places us in the centre of finding solutions that work; and translating promises, strategies and laws into action.

One of our assignments as national Parliaments towards achievement of the United Nations Agenda 2030, we are expected to promote, plan for and monitor the effective implementation of the Sustainable Development Goals (SDGs). Most of the discussions during this conference fit in with the SDGs. I know that most Commonwealth Parliaments have updated their processes and missions to match this Agenda, and it will be exciting learning from one another's experiences.

The conference topics include the concern about rapid unplanned urbanization; terrorism; the efficacy of Parliament interventions on climate change; science and technology innovations that enable Parliaments to work smarter; our role in facilitating persons with disabilities in politics; as well as sexual harassment in Legislatures. We shall also discuss the updated CPA Recommended Benchmarks for



Democratic Legislatures, which help strengthen Parliaments in light of current commitments, such as the SDGs.

Following the good example set in Bangladesh in 2017, this year we shall again have the youth roundtable, whereby we seek to include young people in decision making, and mentor future leaders of the Commonwealth. They will discuss strategies to deal with youth unemployment, in addition to sharpening their debate skills and building networks with each other.

Through all these deliberations, I urge us to share our key lessons and pick up the best practices to implement, for the good of our people, our nations and indeed our mother planet earth.

Let us remember that, as one of the oldest established organisations in the Commonwealth, the Commonwealth Parliamentary Association will continue to be an invaluable player in the world's

efforts to create a better today and a greater tomorrow for us all.

A lot of work has gone on in the last few years in preparation for the 64th CPC, I want to take this opportunity to thank you, Your Excellency, for the overall security and safety. I also thank the armed forces, the Commander of the Chief of Defence Forces, the Police Officers with the command of the Inspector General of Police, the Director General of Internal and External Security, the Clerk to Parliament and the Staff.

I commend further the tremendous work done by the Members of Parliament through all the Committees that has brought us to where we are today.

I invite you to enjoy your stay in Uganda. Please make the time to explore more and discover why it was indeed named the Pearl of Africa. Thank you for your attention. For God and my country!





64th COMMONWEALTH PARLIAMENTS CONFERENCE

Kampala, Uganda

22 to 29 September 2019

Opening Ceremony - 26 September 2019

CPA CHAIRPERSON'S OPENING ADDRESS AT 64TH COMMONWEALTH PARLIAMENTS CONFERENCE

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

'Hujambo! Good Morning! It is for me a great joy and honour to address these eminent personalities, delegates and participants assembled here in Kampala, Uganda, land of agriculture, land of the Equator and land of the great lake, for the opening ceremony of the 64th Commonwealth Parliamentary Conference.

Before I proceed, permit me to use this opportunity to convey to Your Excellency Yoweri Museveni, President of the Republic of Uganda and Vice-Patron of the CPA, on behalf of the entire CPA family, our sincere thanks and gratitude for taking time off your busy schedule to be personally present here today alongside the eminent personalities accompanying you to officiate in the official Opening Ceremony of the 64th Commonwealth Parliamentary Conference taking place in Kampala, Uganda. Your presence here today, Your Excellency, is proof to your commitment to the core values of the CPA.

Mr President, let me on behalf of all of us gathered here today tell you about some of the things that have taken place since we arrived in this beautiful city of Kampala.

- Mr President, we have been

very well taken care of.

- Mr President, the logistical arrangements which was put in place to give this event the grandeur it deserves has been exceptional.
- Mr President, your country is beautiful, your people are very hospitable, and
- Mr President, Speaker Kadaga has been a wonderful host under your guidance.

Your Excellency, my colleagues have asked me to tell you thank you. Sometime in the past people usually said: '*I came, I saw and I conquer.*' But today, we, the CPA delegates, are saying '*we came, we saw and we are going to be Honorary Ambassadors of Uganda when we go back to our respective Regions and, why not, Branches.*' We thank you once more for agreeing to host this 64th Commonwealth Parliamentary Conference in Kampala.

With your permission, Your Excellency, permit me to say thank you to this great Ugandan woman called Rebecca Kadaga, from whom many of us have drawn inspiration. When she entered the room, she did not close the door behind her, she left it wide open for many of us to come in. We have entered

and there is still more space for women.

Her strength and willingness to do so much come undoubtedly from your encouragements and the good will of your Government to encourage women and young girls to be at the forefront of decision making in your country. We all know that cannot be any meaningful development without the involvement of women.

Speaker Kadaga, I wish to thank you for being an inspiration to the younger generation of aspiring female politicians and also thank you and your team for being there since we arrived.

Ladies and Gentlemen, we are delighted to be here and do request that you join me to say congratulations to the Government and Parliament of Uganda for this excellent organisation.

For those who are attending this event for their very first time, may I briefly say that the CPA, which was founded in 1911, comprises some 180 national and sub-national Branches and seeks to promote the advancement of parliamentary democracy by enhancing knowledge and understanding of democratic governance. The CPA connects, develops, promotes and supports Parliamentarians and their staff to identify benchmarks of good governance and the implementation of the enduring values of the Commonwealth.

CPA activities focus on the Commonwealth's commitment to its fundamental political values, including - just and honest government, the alleviation of poverty, fundamental human





electors, candidates and legislators; strategies to deal with youth unemployment; innovation in Parliament and the possible effects of the United Kingdom's 'Brexit' on Small Branches; fostering a culture of respect, fairness and dignity: sexual harassment has no place in Legislatures; among others.

You will agree with me that the provision of appropriate solutions to the aforementioned issues will significantly contribute to solving some of the world's most challenging problems.

This conference is therefore of the utmost importance as the world is anxiously waiting for its outcome. May I urge delegates and participants to make significant and constructive inputs that will meet our expectations and take the CPA and the entire world forward.

On this note, I once more thank His Excellency Yoweri Museveni, President of the Republic of Uganda, for coming to open this conference and wish participants fruitful deliberations.

Long live the Republic of Uganda! Long live the CPA! Long live the Commonwealth of Nations!

rights, international peace and order, global economic development, the rule of law, equal rights and representation for all citizens of both genders, the separation of powers among the three branches of government and the right to participate in free and democratic

political process.

You must have noted from our detailed programme that this conference is placed under the theme '*Adaption, engagement and evolution of Parliaments in a rapidly changing Commonwealth*'. The conference will also address other topical issues in workshops

notably: climate change: achievements, challenges and efficacy of Parliaments intervention; innovation in Parliament; the impact of science and technology on how Parliament works today; the role of Parliament in facilitating persons with disabilities as

CPA Regional Secretaries from nine Regions meet ahead of 64th CPC in Uganda

The Commonwealth Parliamentary Association Chairperson, Hon. Emilia Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon met with the CPA Regional Secretaries representing nine CPA Regions across the Commonwealth – Africa; Asia; Australia; British Islands and Mediterranean; Canada; Caribbean, Americas and Atlantic; India; Pacific; South-East Asia – in Kampala, Uganda ahead of the 64th Commonwealth Parliamentary Conference.



64th Commonwealth Parliamentary Conference: CPA Flickr Images Albums: For images of the 64th Commonwealth Parliamentary Conference please visit: www.cpahq.org/cpahq/flickr.



64th COMMONWEALTH PARLIAMENTARY CONFERENCE

Kampala, Uganda

22 to 29 September 2019

Opening Ceremony - 26 September 2019

CPA HEADQUARTERS SECRETARIAT OPENING ADDRESS AT 64TH COMMONWEALTH PARLIAMENTARY CONFERENCE

Speech by Mr Jarvis Matiya, Acting Secretary-General, Commonwealth Parliamentary Association.

Allow me to extend a hearty welcome to you all on this auspicious occasion of the official opening of the 64th Commonwealth Parliamentary Conference whose theme is *'Adaption, engagement, and evolution of Parliaments in a rapidly changing Commonwealth'*.

I wish to place on record our thanks and appreciation to His Excellency Yoweri Museveni, President of Uganda, for gracing this event this morning, and to our host the Speaker of the Uganda Parliament, Rt Hon. Rebecca Kadaga, who is also CPA President Designate; Hon Bintu Lukumu Jalia, MP, the Chairperson of the CPA Uganda

“Indeed, it has been a total pleasure to enjoy the warm hospitality of the people of the ‘Pearl of Africa’. The CPC was last here in Uganda 52 years ago. So this conference is a significant moment in the history of Uganda as well as the CPA.”

Branch Executive Committee; the Clerk of the Parliament of Uganda, Mrs Jane Kibirige and her team for the excellent arrangements and warm hospitality accorded to the delegates since their arrival in Uganda.

The host Branch has worked so tirelessly preparing for this Conference and ensuring that all logistical and administrative arrangements were in place so that we have a successful Conference. Indeed, it has been a total pleasure to enjoy the warm hospitality of the people of the ‘Pearl of Africa’. The CPC was last here in Uganda 52 years ago. So this conference is a significant moment in the history of Uganda as well as the CPA.

The CPA is a force for good on democracy, good governance and development. It represents and connects national and provincial assemblies, presidential and Westminster systems, unitary and federal states, large and small nations.

The CPA develops and supports its Members and parliamentary staff to promote knowledge and best practice in enhancing the work of Parliaments. Through its activities, the CPA reaches out to its membership to support the implementation of programmes aimed at upskilling its Members

and staff in order to strengthen the institution of Parliament and democratic governance.

At this Conference, we will be launching online programmes for parliamentary staff which were developed in collaboration with King's College of the United Kingdom and McGill University of Canada. This programme is very much in line with the theme of this Conference - *'Adaption, engagement, and evolution of Parliaments in a rapidly changing Commonwealth'*.

As part of benchmarking, in 2006, the CPA developed the CPA Recommended Benchmarks for Democratic Legislatures. These Benchmarks reinforce the belief that effective Parliaments are one of the principal institutions of any functioning democracy, and provide a minimum standard and

a guide on how a Parliament should be constituted and how it should function in line with values and principles of the Commonwealth Charter on the development of free and democratic societies.

The CPA also enables its Members to exchange views, make connections and deepen understanding of their roles and responsibilities as representatives of the people. The 64th Commonwealth Parliamentary Conference being inaugurated today, provides a platform for such conversations to take place.

In the next two days, Members will participate in ten workshop sessions as part of learning and development as endorsed at the 63rd Commonwealth Parliamentary Conference which was held in Dhaka, Bangladesh in November 2017. The thematic





focus of these workshops will be on wide ranging subjects such as disability rights, the role of Parliaments in tackling climate change, innovation and ICT in Parliament, youth unemployment, urbanisation and rural decline just to mention a few.

Commonwealth Heads of Government have recognised that Parliaments and Legislatures are essential pillars of democratic governance and have endorsed the efforts and initiatives of the CPA as the parliamentary partner of the Commonwealth's governmental and non-governmental sectors. Within the Commonwealth family, we all commit ourselves to shared values and principles, and these shape both our collective goals and our collective responsibility in our pursuit of development.

These include free and fair elections, human rights, the rule of law, separation of powers, and tolerance, respect and understanding. Deep-rooted in the Commonwealth approach is the ideal of learning from one another. That is what Commonwealth conferences like this are all about: to strengthen networks, to share, to exchange, to be mutually supportive.

Indeed, parliamentary links, forged and continually strengthened through the work of the Commonwealth Parliamentary Association over many decades, can be seen as among the most powerful practical illustration of Commonwealth nations joining together freely and voluntarily in an enduring relationship.

As I conclude, allow me to thank sincerely the CPA Chairperson, the CPA Coordinating Committee, the CPA Executive Committee and, of course, my colleagues at the CPA Headquarters Secretariat who worked so hard collaboratively with the staff of the Uganda Parliament in preparing for this Conference.

National Assembly of The Gambia re-joins Commonwealth Parliamentary Association membership at 64th Commonwealth Parliamentary Conference

It is announced that the National Assembly of The Gambia has rejoined the membership of the Commonwealth Parliamentary Association (CPA). The 64th CPA General Assembly, meeting in Kampala, Uganda at the 64th Commonwealth Parliamentary Conference, approved the application from the National Assembly of The Gambia to reconstitute the Gambia Branch of the CPA following their application to re-join.

The Deputy Speaker of the House of the National Assembly of The Gambia, Hon. Momodou Lamin K. Sanneh attended the 64th CPA General Assembly as an observer and said in a statement to delegates: *"I bring warm greetings from the friendly people of The Gambia, the smiling coast of West Africa. We are indeed very grateful to be invited to the 64th Commonwealth Parliamentary Conference after five years of absence. It could be recalled that the former President of The Gambia unilaterally withdrew The Gambia from the Commonwealth in 2013. The 2016 election ushered in a new coalition government under President Adama Barrow. Since coming to power, the new government has worked on the restoration of diplomatic ties with partners.*

In 2018, The Gambia was readmitted to the Commonwealth. This paved the way for The Gambia to seek readmission to the various Commonwealth associations including the Commonwealth Parliamentary Association. Following the change of government in 2016, the CPA UK Branch has been instrumental in our parliamentary reforms. The CPA Gambia Branch is indeed happy to be welcomed back to the CPA. We want to thank all CPA member Branches, especially the CPA Executive Committee and the CPA President, Hon. Speaker of Uganda for giving due consideration to our application for readmission to the Commonwealth



Parliamentary Association. We are back to where we belong, and we are ready to contribute to the strengthening of the core values of the CPA."

The Chairperson of the CPA Executive Committee, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon said: *"The return of the CPA Gambia Branch will be welcomed by all of the CPA's membership as it demonstrates the CPA's commitment to good governance and parliamentary strengthening in all of its nine regions. As the CPA Chairperson, I look forward to building new links with the Branch to advance the CPA's parliamentary development goals. The return of the Gambia Branch of the CPA strengthens our network and serves as a testament to the success of the CPA as a leader in the field of parliamentary development."*

The Gambia re-joined The Commonwealth in February 2018, almost five years after leaving the organisation and were invited to attend the Commonwealth Heads of Government Meeting (CHOGM) in April 2018 in London, UK. Previously, The Gambia first joined the CPA in 1949. The National Assembly of The Gambia applied to re-join the CPA in 2018 and this was received by the 2018 Mid-Year CPA Executive Committee Meeting in Mauritius. The application to re-join the CPA by the National Assembly of The Gambia was approved by the 64th CPA General Assembly in September 2019.

64th Commonwealth Parliamentary Conference (CPC): CPA Flickr Images Albums: For images of the 64th CPC please visit: www.cpahq.org/cpahq/flickr.



CPA Executive Committee address key governance issues for the Commonwealth Parliamentary Association ahead of 64th CPC



The Executive Committee of the Commonwealth Parliamentary Association (CPA) met ahead of the 64th Commonwealth Parliamentary Conference in Kampala, Uganda. The CPA Executive Committee represents the nine regions of the CPA - Africa; Asia; Australia; British Islands and Mediterranean; Canada; Caribbean, Americas and Atlantic; India; Pacific; South East Asia. The Executive Committee is chaired by Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon.

The Chairperson of the CPA International Executive Committee said: *“The Commonwealth Parliamentary Association (CPA) provides a unique platform for inter-parliamentary dialogue to take place. The Commonwealth Parliamentary Association’s membership not only comprises national Parliaments of the Commonwealth, but also provincial and state Legislatures as well as devolved Assemblies. The diverse nature of the membership provides the Commonwealth Parliamentary Association with a unique position within the parliamentary community to offer a comprehensive perspective on how to strengthen parliamentary democracy Commonwealth-wide and discuss new and innovative approaches on how to do so.*

The 64th Commonwealth Parliamentary Conference is the most prominent event in the Commonwealth Parliamentary Association’s calendar, as it offers a unique opportunity for the representatives of the Association’s 180 Member Parliaments and Legislatures to network with colleagues from other jurisdictions and discuss common issues of concern which affect Commonwealth Parliaments. The workshops for this year’s conference will discuss a wide range of topics such as the challenges of climate change; innovation in Parliament: the impact of science and technology on how Parliament works today; the role of Parliament in facilitating persons with disabilities as electors, candidates and legislators; strategies to deal with youth unemployment; the role of Parliament in the doctrine of separation of powers: enhancing transparency and accountability.”



To read the **64th CPC Conference Concluding Statement** please visit www.cpahq.org/cpahq/cpc2019concludingstatement.



New CPA Treasurer and CPA Vice-Chairperson confirmed at 64th Commonwealth Parliamentary Conference in Uganda

During the 64th CPA General Assembly which took place at the 64th Commonwealth Parliamentary Conference in Uganda, CPA Members endorsed the appointment of Hon. Datuk Seri Shamsul Iskandar Mohd Akin, MP (Malaysia) as the new CPA Treasurer. The Treasurer, who is a Member of the Association nominated by the CPA Executive Committee, is appointed for three years by the General Assembly and works with the CPA Headquarters Secretariat to monitor the finances of the Association. The CPA Treasurer also joins the Trustees board of the Association.

Hon. Datuk Seri Shamsul Iskandar Mohd Akin, MP is a Member of Parliament for Hang Tuah Jaya constituency in Malaysia since 2013. He is the Information Chief for the government party, People's Justice Party (KEADILAN). In 2018, he was appointed as the Federal Deputy Minister at the Ministry of Primary Industries with responsibility for the industrialisation and plantation of various commodities such as palm oil, sago, kenaf, peppercorn, timber and cocoa. He actively participates in international organisations and is currently the Chairperson of the CPA Malaysia Branch and a board member of the Parliamentary Network on The World Bank and International Monetary Fund (IMF). The Parliamentary Network is a platform for Parliamentarians around the globe to advocate for increased accountability and transparency in international financial institutions and multilateral development financing. Before he joined politics, he was an Advocate and Solicitor in the High Court of Malaya.

The 64th CPA General Assembly was followed by a meeting of the new CPA Executive Committee during which Hon. John Ajaka, MLC, President of the Legislative Council of New South Wales in Australia was confirmed by

Members of the Executive Committee to the position of Vice-Chairperson. The position of Vice-Chairperson is for a term of one year and the holder is also a Member of the CPA Co-ordinating Committee.

Hon. John Ajaka, MLC has been President of the Legislative Council of New South Wales since 2017. He holds several positions at the Parliament of New South Wales including Chair of the Procedure Committee and has held several portfolios including Minister for Ageing; Disability Services; and Multiculturalism. He was also Deputy Leader of the Government in the Legislative Council. Prior to entering Parliament, he was a practicing solicitor at the New South Wales Supreme Court; and the High Court of Australia.

Outside politics, he is an active supporter of the Rotary Club, the Lions Club and Sydney Lebanon Chamber of Commerce; a Member of Army School Cadets and Army Reserve; and interests include boxing and rugby league.



Parliamentary delegation from Somaliland attend 64th CPC in Uganda

A parliamentary delegation from Somaliland led by Deputy Speaker, Hon. Ahmedyasin Ali met the Commonwealth Parliamentary Association (CPA) Chairperson, Hon. Emilia Lifaka, MP (Cameroon) in the margins of the 64th Commonwealth Parliamentary Conference in Uganda to hear about the work of the Association.



64th Commonwealth Parliamentary Conference: CPA Flickr Images Albums: For images of the 64th Commonwealth Parliamentary Conference please visit: www.cpahq.org/cpahq/flickr.



CPA launch new online professional development programmes for parliamentary staff with leading Commonwealth universities at 64th CPC



The Commonwealth Parliamentary Association (CPA) has launched new online professional development programmes for parliamentary staff that have been developed and will be delivered in collaboration with the School of Continuing Studies at McGill University, Canada and the International School for Government at King's College, London.

The CPA launched the new online programmes at a reception for Parliamentary Clerks and officials in the margins of the 64th Commonwealth Parliamentary Conference (CPC) in Kampala, Uganda. Ms Meenakshi Dhar on behalf of the CPA Headquarters Secretariat said: *"The launch of the new online professional development programmes for parliamentary staff will further develop the aims of the CPA in advancing parliamentary democracy by enhancing knowledge and understanding of democratic governance. We are especially honoured to be working alongside two prestigious Commonwealth universities to provide these online programmes for parliamentary staff within the CPA network."*

The new online programmes will introduce parliamentary staff to the different functions that officials are required to perform and will benefit from the exchange of ideas between participants from different Legislatures across the wider CPA network. Participants will be enabled to appreciate the theoretical issues encountered and apply them in a way that improves their effectiveness. The programmes will also consider, from the perspective of parliamentary officials, how the institution of Parliament can best support Members in performing their representative roles.

The CPA has been working with the School of Continuing



Studies at McGill University, Canada on a number of seminars and programmes for both Members and parliamentary staff for many years and these new online programmes will also be developed with new partner, the International School for Government at King's College, London.

A CPA presentation about the new online programmes was given at the 55th Meeting of the Society-of-Clerks-at-the-Table (SoCATT) which also took place in the margins of the 64th Commonwealth Parliamentary Conference (CPC) in Kampala, Uganda where delegates heard from Rick Stapenhurst, Assistant Professor and Director, Parliamentary Programmes from McGill University and Hon. Alexander Downer, AC, Executive Chair of the International School for Government at King's College, London.

For more information about both online programmes for parliamentary staff please email hq.sec@cpahq.org. Both online programmes are scheduled to start in January 2020.

Presentations at 64th General Assembly

At the conclusion of the 64th Commonwealth Parliamentary Conference in Uganda, the CPA Chairperson, Hon. Emilia Lifaka, MP (Cameroon) presented the CPA President (2018-2019), Rt Hon. Rebecca Kadaga, Speaker of the Parliament of Uganda with a commemorative silver salver to thank the CPA Uganda Branch and Parliament of Uganda for their hosting of the 64th conference.

Outgoing CPA Executive Committee Members were also presented with commemorative plaques traditionally donated by the CPA Malaysia Branch to thank them for their service to the CPA. The CPA Chairperson also thanked the outgoing CPA Coordinating Committee Members - CPA Treasurer, Vicki Dunne, MLA (Australian Capital Territory), CPA Small Branches Chairperson, Hon. Angelo Farrugia, Speaker of Parliament of Malta and CWP Chairperson, Hon. Dr Dato Noraini Ahmad, MP (Malaysia).



To read the **64th CPC Conference Concluding Statement** please visit www.cpahq.org/cpahq/cpc2019concludingstatement.



CPA launches new handbook with British Red Cross on International Humanitarian Law for Commonwealth Parliamentarians

The CPA Small Branches Chairperson has officially launched a new online digital resource, the *Handbook on International Humanitarian Law for Commonwealth Parliamentarians* to complement the CPA's parliamentary strengthening work and to enhance the performance of Parliamentarians and parliamentary staff across the Commonwealth. The CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP, Speaker of the Parliament of Malta launched the new publication in the margins of the 64th Commonwealth Parliamentary Conference (CPC), held in Kampala and hosted by the CPA Uganda Branch and the Parliament of Uganda.

The CPA Small Branches Chairperson said: *"Parliamentarians play a significant role in working with the Executive and others to promote International Humanitarian Law (IHL) and to ensure its effective implementation. This requires Parliamentarians and parliamentary staff to be well-informed. This handbook has been specifically designed by the Commonwealth Parliamentary Association (CPA) in partnership with the British Red Cross to help achieve this goal, taking into account the specific legal traditions and practices, and values, of Commonwealth countries."*

The CPA, founded in 1911, is one of the oldest established organisations in the Commonwealth. It brings together Members, regardless of gender, race, religion or culture, who are united by a community of interest, respect for the rule of law and individual rights and freedoms, and by the pursuit of the positive ideals of parliamentary democracy. It brings Parliamentarians and parliamentary staff together to exchange ideas among themselves and with experts in various fields, to identify benchmarks of good practices and new policy options they can adopt or adapt in the governance of their societies.

The history of IHL is intertwined with the history of the International Red Cross and Red Crescent Movement. It is a statutory responsibility of all National Red Cross and National Red Crescent Societies – as



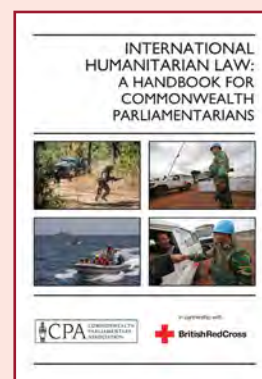
neutral humanitarian auxiliaries to their respective governments – to help disseminate knowledge of IHL and to ensure respect for its provisions. Since its establishment in 1870, the British Red Cross has worked in this capacity to support the British Government in matters related to IHL. Additionally, the British Red Cross works in partnership with other organisations, such as the CPA and the Commonwealth Secretariat, to promote IHL in other fora.

Michael Meyer, OBE, Head of International Law at the British Red Cross said: *"This year is the 70th anniversary of the four Geneva Conventions for the Protection of War Victims. All Commonwealth countries are parties to these treaties. The Geneva Conventions are the cornerstone of international humanitarian law (IHL), that is, the international law governing warfare. They can only fulfil their purpose of protecting certain persons and objects during armed conflict and of regulating the conduct of hostilities if they are implemented effectively. The British Red Cross is delighted to have worked with the Commonwealth Parliamentary Association in producing the handbook on IHL. We hope that it will be useful as a practical guide to Parliamentarians and parliamentary staff. The Geneva Conventions Anniversary is an opportune moment for all States, including those in the Commonwealth, to reaffirm their commitment to IHL and to work towards its full implementation. The handbook provides a solid and up-to-date basis to engage in such efforts together."*

In modern armed conflicts, IHL is invoked by a number of different actors, including politicians, UN organs, NGOs, domestic and international media outlets, and, of course the combatants themselves. Especially in our fractured media environment, it can be difficult to find resources related to the rules of war that offer a comprehensive, understandable and objective assessment of where the law stands today.

The handbook was authored by Professor Sarah Williams from the UNSW Sydney (University of New South Wales, Australia) in consultation with CPA partners.

Left: The CPA Small Branches Chairperson, Hon. Angelo Farrugia, Speaker of the Parliament of Malta and the Commonwealth Women Parliamentarians (CWP) Chairperson, Hon. Dato' Dr Noraini Ahmad, MP (Malaysia) launch the new *Handbook on International Humanitarian Law for Commonwealth Parliamentarians* in the margins of the 64th Commonwealth Parliamentary Conference in Uganda.



To access the **International Humanitarian Law Handbook for Commonwealth Parliamentarians** please visit www.cpahq.org/cpahq/IHLhandbook.



64th COMMONWEALTH PARLIAMENTS CONFERENCE

Kampala, Uganda

22 to 29 September 2019

Conference Workshop A (Host Branch topic) - 26 September 2019

THE CLIMATE CHANGE DEBATE: A CHALLENGE FOR THE COMMONWEALTH?

**Moderator: Hon.
Lawrence Songa, MP
(Uganda)**

Discussion Leaders:

- Dr Alex Nimusiima,
Lecturer/Co-ordinator
Meteorology Unit,
Makerere University
- Mr Robert Ondhowe,
UNEP Consultant
(Former Legal Officer,
UNEP in Kenya)
- Mr Mohammad
Semambo Kasagazi,
Senior Climate
Change Officer,
Ministry of Water
and Environment
(Uganda)
- Hon. Winifred Masiko
Komuhangi, Former
MP (Uganda)

**Rapporteurs: Ms Betty
Kobere Nayah and
Ms Ophelia Nahabwe
(Parliament of Uganda)**

This workshop session focused on the impacts of climate change and the interventions that Commonwealth Parliaments are employing to mitigate them. It emerged strongly that countries should begin to budget resources for climate change rather than rely on donors. Commonwealth countries should hold each other accountable in monitoring the progress of implementation of climate change policies.

Workshop Moderator, Hon. Lawrence Songa Biyika, MP (Uganda) noted that climate change needs to be urgently addressed to save the Earth and its ecosystems and for the maintenance of robust economies. He highlighted the impact that it has on smallholder farmers and appealed for urgent response from the Commonwealth.

He noted that in Uganda, Civil Society Organisations (CSOs) and academia have suggested the following recommendations to address climate change effects: (i) Creation of a climate change fund; (ii) Ensuring 100% conversion to renewable energy; (iii) Establishment of a climate change tribunal; (iv) Establishing multi-stakeholder engagement platforms; (v) Elimination of plastics use; (vi) Promoting low carbon transport; (vii) Establishing CPC forests; (viii) Prioritising gender and climate change; (ix) Strengthening early warning systems; (x)

Strengthening the rights and knowledge of indigenous people; (xi) Mobilising of national and international funding for climate action.

Dr Alex Nimusiima (Makerere University) regretted that the Africa Region contributes the least to greenhouse emissions, but it is the most vulnerable to climate change impacts. There is a rise in annual temperatures over the past decades and changes in rainfall patterns resulting in the increased frequency of floods and droughts. In Uganda, Mt. Rwenzori glaciers are disappearing and Bududa has been hit by landslides, Lake Chad (West Africa) is drying up and the melting snows of Mt. Kilimanjaro (Tanzania) are badly affected.

In future, this could lead to water stress and scarcity, frequency of floods, drought and hailstorms; shifts in areas of disease/pests, biodiversity loss and species extinction (for example, the mountain gorillas in Uganda); reduced productivity for major crops, and a shift in crop growing zones. A decline in pastures and the increased scarcity of water could increase conflict in pastoral areas. The economy in areas of infrastructure, energy, water and agriculture will be hit to gross magnitudes by 2050.

To respond to these impacts, countries have to adapt and

mitigate. Global agreements like the *United Nations Framework Convention on Climate Change* (1992), *Kyoto Protocol* (1997) and the *Paris Agreement* (2015) have been signed.

The *Paris Agreement* puts in place the global commitment to transition to a low-emission economy, holding the increase in the global temperature to below 2°C and pursuing efforts to limit temperature increase to below 1.5°C by 2100. Of concern, however, is that none of the mitigation-emission scenarios modelled from the *Fifth Assessment Report of Intergovernmental Panel on Climate Change* predicts increases of temperatures below 2°C by 2100 rendering the Paris Agreement target unachievable.

Some of the interventions in Uganda are: the establishment of the Climate Change Department and Uganda National Metrological Authority (UNMA); and the putting in place of policies (e.g. the Climate Change Policy). Dr Alex Nimusiima identified the challenges impeding climate response as: uncoordinated NGO interventions, understaffing of UNMA, resulting into combining records from regions as opposed to reporting them for individual districts; dependency on donors, incomplete implementation of the policy and the lack of a Climate Change Bill.

Parliament is expected to



ratify international instruments, carry out oversight, facilitate public participation, engage in international activities, integrate climate change issues into committee programmes, enact legislation and policy reforms; and mainstream climate change in ministerial budgets and plans.

The Workshop Moderator asked how some of these challenges from carbon to non-carbon emissions could be addressed and how vulnerable small holder farmers could be helped. In response, Dr Nimusiima advised that climate change is not a 'one-man's initiative' but needs collective contribution from everyone, given that we all contribute to its causes. Meteorologists should improve on their weather forecasting skills to enable farmers predict weather patterns and seasons.

It was suggested that since Uganda requires a Certificate of Equity and Gender Compliance during law enactment, it would be good if a certificate in compliance to climate change response became a requirement.

Mr Robert Ondhowe (UNEP) applauded the efforts to have a

Bill on Climate Change and the plan to include the certificate on climate change compliance. He noted that individual countries have the discretion to formulate laws that address climate change by having a single document covering all aspects of climate change or through having several sector laws on the subject. The SDGs provide a useful platform for addressing the impacts of climate change.

Mr Robert Ondhowe noted that the Green Climate Fund was finalised in 2014 but countries are yet to meet their pledges. The Fund is not disbursing monies as expected since project pipelines were not completed as anticipated and because of capacity challenges. The informal sector lacks the technical knowledge of accessing the monies.

He commended two Pacific countries that have been able to switch from fossil fuels to electric mobility. Parts of India and the Scandinavian countries have also been able to implement 'smart agriculture'.

The Workshop Moderator asked about the role of Parliamentarians in ensuring cohesive law-making and

budgetary oversight on climate related policy within the context of the SDGs and national development. He also asked how the local communities could access financial resources.

Mr Ondhowe clarified that some countries have not been cooperative in taking up climate change fund as a mitigation factor. Money needs to come from the national budgets other than international donors. Laws and policies are in place, but implementation becomes hard especially coordination between sector Ministries and finances.

Norway has more fuel than Uganda but has banned fossil cars and by 2025, all their cars will be run on hydroelectricity, just as two island states in the Pacific Region.

Hon. Winifred Masiko Komuhangi (Uganda) regretted that climate change affects everybody but the poor and marginalised suffer more; as they rely on natural resources. Children and women are the most affected because of their involvement in agriculture. Children suffer high mortality because of indoor pollution, mainly because of kerosene. The

majority of the poor are women, who have other laws that culture has prescribed.

She stressed that meaningful development requires climate change adaptation and mitigation to be done in time. Gender and climate change is now a stand-alone topical discussion, to be discussed together with women economic empowerment in order to realise the SDGs. Government has invested a lot of time and resources.

Mr Mohammad Semambo Kasagazi (Ministry of Water and Environment, Uganda) observed the major challenges to addressing climate change as: inadequate funding for the implementation of laws and agreements, inaction and lack of accountability from other sectors excluding Ministries responsible for the environment; limited access to technology for climate response; and limited involvement of the private sector. Uganda should streamline climate change in all sectors.

Hon. Immaculate Sware Semesi, MP (Tanzania) shared that Tanzania still faces climate change effects, mismanagement of the environment, floods and



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other environmental hazards. She suggested budgeting for infrastructure, which could withstand climate change effects.

Hon. Evans Kibanda, MP (Zambia) asked what the Commonwealth should do if some world leaders do not acknowledge that climate change is real.

Hon. Tofa Foleni Lio, MP (Samoa) cautioned that Commonwealth countries and other bodies have had conferences for almost 20 years but reliance on donors hinders progress. Speaking of actions and work plans is not enough; rather, they should take stock of what each country is doing.

Hon. Andrea Khanjin, MPP (Ontario) noted that although Canada represents 1.6% of global GHG emissions, Ontario is responsible for 0.4%. She sought the opinion of the panelists on the carbon trust, reverse action policy and green bonds that Ontario is implementing.

Mr Robert Ondhowe (UNEP) advised Canada to explore development of green bonds or blue bonds, supported by legislation.

Hon. Gladys Nancy Tembo, MP (Malawi) noted that countries have many competing needs and climate change remains a challenge. When the HIV/AIDS scourge hit Malawi, every Ministry had a budget line to deal with it. The same could be done to deal with climate change.

Hon. Roselina Tirkey, MP (Assam) wondered what

implementations have been undertaken since the Paris Agreement. Annually, India celebrates Mahatma Ghandi's anniversary and in 2019, many solar plants will be launched.

Shri Adhir Ranjan Chowdhury, MP (India) submitted that in India, he has distributed seedlings consisting of vegetable, fruit and medicinal plants to his constituents. Each private company in India has to contribute 2% of its net profits towards Corporate Social Responsibility, which might be extended towards climate change initiatives. The poor are given gas cylinders.

Hon. Aisha Adams, MP (Malawi) advised Parliamentarians to concentrate on how to keep forests intact, meet in the villages, engage traditional leaders and sensitize people on the dangers of tree cutting. Whoever endangers forests should be punished.

Hon. Abdus Shahid, MP (Bangladesh) implored countries to meet their obligations, to address impacts like floods arising out of melting ice and rising sea levels.

Hon. Aparajita Sarangi, MP (India) was perturbed that this conference was discussing the impacts of climate change and yet, water was served in plastic bottles. Members of Parliament should live by example.

Hon. Patricia Gordon-Pamplin, MP (Bermuda) observed that developed countries are materialistic

without realisation that their actions impact on climate change, affecting developing countries. Bermuda nationals are complacent on use of electricity, purchase and disposal of cars and the Government may not be obliged to switch from fossil to renewable energy.

Hon. Ilyas Karim, MP (Malawi) suggested that the CPA recommendations be clearly stated and forwarded to the Commonwealth Heads of Government meeting (CHOGM) and implementation followed up at the next meeting.

Hon. Eleni Mavrou, MP (Cyprus) noted that there is need for collective climate response from all countries including the USA. Developed countries should take up the burden of technology transfer to the developing countries.

Hon. Winifred Masiko Komuhangi (Uganda) in her closing remarks said that awareness and sensitization are a continuous activity, which should not stop. Commonwealth Parliamentarians should take part in drawing up a climate change strategy and action plan. Members need to continue to appreciate the issue of climate change, which has now become an environmental human rights issue.

There should be continuous interface between state and non-state actors. Uganda launched the Climate Change Parliamentary forum two years ago, just as the Standing Committee on Climate Change; to steer the acceleration of climate change impacts' adaptation and mitigation.

Mr Robert Ondhowe (UNEP) concluded by saying that clean cooking technology is an easy win as it helps women to get rid of respiratory and other diseases, including the time they spend looking for firewood. The Treasury would get more from VAT than excise duty if ethanol and other clean cooking agents

are used. He urged delegates to make use of the UNEP's free legal advice, which is accessible on their website.

Mr Patrick Mulindwa (Private Sector observer) elucidated what the youth enterprise, SPARK was doing in advocating climate change adaption and mitigation. He proposed that CPA members establish a 'CPC Forest Project', to act as a souvenir environmental commitment.

The following recommendations were proposed but were not explicitly debated in the workshop:

- Climate change should be mainstreamed in all the Ministries' plans with Parliament requiring a certificate of compliance before budgets are approved.
- The role of Parliamentarians in ensuring cohesive law-making and budgetary oversight on climate-related policy within the context of the SDGs and national development.
- All stakeholders' efforts should ensure the responsiveness of government to climate change for a climate resilient economy and society.
- Promote gender and climate change responsive policies and strategies. Establish parliamentary fora to network with non-state actors. Draft a climate change law and establish a Parliamentary Committee.
- Establish a national climate fund to solve the challenge of financing climate actions and to spur the provision, mobilisation and deployment of climate finance.
- Commonwealth jurisdictions should launch the 64th CPC Forest Project under the campaign 'Plant a CPC Forest'.





64th COMMONWEALTH PARLIAMENTARY CONFERENCE
Kampala, Uganda
22 to 29 September 2019

Conference Workshop B - 26 September 2019

INNOVATION IN PARLIAMENT: THE IMPACT OF SCIENCE AND TECHNOLOGY ON HOW PARLIAMENT WORKS TODAY

Moderator: Hon. Russell
Wortley, MLC (South
Australia)

Discussion Leaders:

- Hon. Dr Alex Allinson,
MHK, (Isle of Man)
- Hon. Bridgid
Annissette-George,
MP, Speaker of the
House (Trinidad and
Tobago)
- Hon. Ratu Epeli
Nailatikau, Speaker
of Parliament (Fiji)

Rapporteurs: Ms Mataka
Janet Gladys and Ms
Ninsiima Catherine
(Parliament of Uganda)

This workshop focused on how ICT can be integrated in Parliaments as an enabler and tool in the promotion of openness, transparency and parliamentary outreach. This was through sharing of country specific examples and experiences in the use of ICT in Parliament; specifically sharing innovations on what Members have done in their respective Parliaments.

Hon. Dr Alex Allison, MHK (Isle of Man) started by sharing how innovations in ICT have worked for the Tynwald Parliament. He informed delegates that technology can change how people interact with Parliament. Over 100 years ago, they started with the Hansard

report and wanted to make sure that the people knew what their representatives were doing. Now they have moved to: record all live sittings in MP3 files and share audio files; Committees using *Skype*; and transcribing *Skype* proceedings.

Further, he informed delegates that the Isle of Man Parliament uses different platforms to get the message across different demographic groups namely: website, radio, newspapers, the Internet, social media and TV. As much as video coverage is still used by the majority, there is an increased use of the Internet, more than radio and newspapers. Therefore, there is need to embrace the digital world and the

use of social media for information and communications.

He emphasised the need to ensure that what happens in Parliament is reported correctly and timely. They make sure what has been spoken in Parliament is reported on the website and tweeted immediately, especially to correct any inaccurate reporting because information moves faster today. Fake news has always been there and in the Isle of Man, the *Criminal Code 1872* addresses the spread of fake news as a criminal offence. He reminded delegates that we live in an era where fake news spreads faster because of the increased use of social media and that fake news is not just





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wrong news but can produce mistrust in Parliament. With correct reporting, we can restore the peoples' trust in Parliament.

Hon. Bridgid Annisette-George, MP, Speaker of the House (Trinidad and Tobago) started by emphasizing that being open-minded in Parliament promotes transparency. Parliamentary information should be made available to people through open standards. She informed delegates that open-minded Parliaments have openness including open media systems and standards. This helps them to have an open Government where citizens have access to the right information to carry out public oversight.

In addition, to achieve openness, modern technologies are needed. In Trinidad and Tobago, they incorporated SMART technology through a strategic plan. In the strategy that was developed, they wanted to ensure that: they have a paperless Parliament and increased efficiency; documents received and produced by the Parliament are available in a usable electronic format; the Hansard report is available in a suitable and usable format to all stakeholders; the website contains all the information needed and in a timely manner; and that information is captured in a format that could be shared

between Government agencies.

As a result, the Parliament of Trinidad and Tobago has employed widely acceptable and available technologies such as *Microsoft Sharepoint*. In addition, an application (Rotunda) was developed to aid in a paperless Parliament and facilitate information sharing – this includes the Order Paper, the Minutes of meetings, budget documents, Bills, papers laid, Questions and Answers, among many examples. Every new Member of Parliament receives an iPad that has Rotunda pre-loaded. In addition, the Parliament of Trinidad and Tobago has digitised 55% of their older laws, Hansard reports and many books with the KOHA integrated library system.

Speaker Annisette-George also informed delegates that new technology has helped in the development of the Hansard report using various applications that are not expensive such as *SliqScribe Desktop Assistant* software used to record, index and publish the official record in an efficient manner. Also, the Parliament have developed a *YouTube* channel which allows video and audio streaming of parliamentary sittings and users can view past sittings.

Furthermore, there is the COIRS (Constituency Office Issue Reporting System)

application that enables the Constituency Offices to record visits, issues and concerns. This helps MPs to receive and index concerns from constituents.

In addition, the Parliament of Trinidad and Tobago have expanded their digital footprint into the realm of social media. Citizens can pose questions to be asked in some public hearings and press conferences. Facebook and Twitter are used to update the public in a timely manner as proceedings and notices are published.

The Parliament of Trinidad and Tobago has faced challenges with the use of technology such as the budget, public service policies not supportive of where they want to go, support with the necessary staff and knowledge gaps among others.

Speaker Annisette-George concluded by emphasizing that Parliaments need to recognise the importance of IT in promoting openness, transparency and governance. Parliaments must continue to appreciate the changing world of ICT and its role in improving Parliament's functions and abilities to better serve its Parliamentarians, staff, citizenry and interactions with other Parliaments and Assemblies.

Hon. Ratu Epeli Nailatikau, Speaker of Parliament (Fiji) informed delegates that the Parliament of Fiji has established

integrated management systems; the digitalisation of records; and continuous upgrading of broadcasts for Parliament to ensure everyone is able to follow parliamentary business. The Fijian Parliament has developed an e-Parliament as one of the key goals to support law making and oversight. Through employing ICT, Parliament promotes engagement with the public in a meaningful way.

Speaker Nailatikau noted that the future of Parliament depends on transparency, openness and accountability. Virtually all Parliaments draw from ICT and this technological engagement makes Parliaments more open and accessible and increases public involvement and participation in the work of Parliament. To most citizens the work of Parliament remains obscure. Therefore, new technologies are instrumental in helping citizens understand what Parliaments do and offers them an opportunity to participate in parliamentary business.

He further noted that young people are expressing a sense of dissolution and disappointment with the current systems which don't allow them to express their views and concerns. In order to address this limitation, the Fijian Parliament introduced the Speaker's Debate, chaired by the Speaker and streamed live on social media and national TV. This is held to connect the people with Parliament, not just for strengthening openness and accountability but also to encourage political participation. They have revived their website to provide the public with better access to the work of Parliament.

Further, he informed delegates that the Parliament of Fiji has launched a Parliament App in 2017 that allows people to stay in touch with Parliament's activities as well as engage with Members. The Fijian Parliament identified citizen engagement



as a high priority and adopted new technologies that offer low cost ways for doing so, such as using Facebook and Twitter to communicate parliamentary sittings among others.

However, Speaker Nailatikau cautioned delegates that social media networks need management. In this context, the Fijian Parliament in 2018 developed social media guidelines to guide all of the social media use by Parliament. He concluded by reminding delegates that Parliament derives its legitimacy from its core function as a people's representative and, strong, democratic Parliaments are responsive to changes in society.

Hon. Dr Rajeev Bindal, MLA, Speaker of the Legislative Assembly (Himachal Pradesh) informed delegates that digital transformation of their Legislative Assembly was done by implementing 'e-Vidhan' as a major administrative reform to augment faster and transparent governance. 'e-Vidhan' is a software suite of a public website, secure website, in-house applications and mobile apps. This has enabled the Assembly to be 100% electronic as they have paperless Assembly sessions; paperless working of House Committees and an e-Constituency management.

In addition, the business of the House Committees are 100% online. There is the ability to view meeting agendas and replies from departments with respect to assurances, audit queries and questions among others. With the e-Constituency management system, MPs are able to monitor public works, grievances and send messages to their constituents.

Hon. Pocharam Srinivas Reddy, MLA, Speaker of the Legislative Assembly (Telangana) informed delegates that the public expects increased access, transparency and accountability. To achieve this,

parliamentary committees can use video conferencing with witnesses and IT can be used for voting in parliamentary chambers. He noted that new technology offers many advantages but comes at a price and changes have to be made and adopted.

Hon. Roopa Ganguly, MP (India) told delegates that whatever they are doing in the Parliament of India had already been said. Going paperless, they have achieved a 60% level. They have a website translated into 22 recognised languages and are working on speech recognition. Further, the India Parliament have an e-payment system, e-file management system and 24-hour television coverage. Finally, she informed delegates that India is digitalising everything in the country not just Parliament.

Hon. Beverly Schafer, MPL, Deputy Speaker (Western Cape) emphasised the need to keep the youth involved in parliamentary business to ensure a future, sustainable Parliament. She shared applications that her Parliament is using to increase youth participation. These include: Trackbill.com a cellphone app that tracks Bills, Committees and Legislators; Pressreader.com which replaced newspapers; Meltwater that measures the impact of the Legislature on the public and; Vertical video, a new way of recording video for youth engagement.

A Speaker from a State in India (unrecorded) reminded delegates that democracy has to be developed and enhanced. Digital citizenship is the main thing now and they are trying to establish a digital Parliament. In addition, they want digital interaction with the common people and a digital pool for suggestions, for example in adopting a law, anyone can send amendments to the pool and the comments are collected and sent to the respective Ministry.

The Workshop Moderator

asked delegates what technologies and measures Parliament can use in guarding against fake news.

Hon. Dr Alex Allinson, MHK, (Isle of Man) responded that fake news is the dark side of increased access to IT and Parliament. In some places, regulation is being considered to address fake news through social media policy. He emphasised the need for Parliamentarians to put the truth out there and monitor what is being posted.

Hon. Ratu Epeli Nailatikau, Speaker of Parliament (Fiji) responded that they have social media guidelines in Fiji, which are still a work in progress and could not be shared at the time.

A delegate from Mauritius observed that there is so much information in the media and asked how good data can be sieved from the bad?

Hon. Dr Alex Allinson, MHK, (Isle of Man) responded that one needs to treat information carefully. Library and Research services can be very useful when it comes to big data as none of us has experience with big data.

Hon. Bridgid Annisette-George, MP, Speaker of the House (Trinidad and Tobago) responded that they have officers who monitor what is on the social media platform. She noted that nationally sensitive information is not published. For camera sessions, it is only available after it has been made public. Further, she informed delegates that managing the Internet is a global problem without a solution, yet we can't run away from the Internet.

Hon. Dr Rajeev Bindal, MLA, Speaker of the Legislative Assembly (Himachal Pradesh) informed delegates that they don't rely on social media and their solution to fake news is digital media which has to be registered to ensure responsibility for fake news.

Hon. Beverly Schafer, MPL, Deputy Speaker (Western

Cape) suggested that every single country should pressurise social media platforms to clean up artificial intelligence so that people take responsibility of what comes out of social media.

Hon. Solomon Lechesa Tsenoli, MP, Deputy Speaker of the National Assembly (South Africa) emphasised the need to also focus on risks associated with IT such as demeaned ethics and how artificial intelligence has led to job losses.

Hon. Dr Alex Allinson, MHK, (Isle of Man) responded that there is need for awareness of artificial intelligence. In addition, there has to be an ethical basis of the tools and how we control them for example through taxation, Government action or legislation.

The following two recommendations at the workshop were *endorsed* as follows:

- Parliaments should employ ICT to connect with citizens in a more direct and meaningful way, strengthening transparency, accessibility and accountability. Adopting technology promotes political engagement and builds more effective, inclusive and responsive institutions.
- Parliaments must take steps to integrate ICT into their operations, to improve efficiency and communication and reach the population via various technological platforms, in an effort to deepen democracy.

The following recommendation was *noted* as follows (due to associated risks):

- Expanding access to Hansard through social media engagement can lead to greater awareness of, and interest in parliamentary process and decision making.



64th COMMONWEALTH PARLIAMENTS CONFERENCE

Kampala, Uganda

22 to 29 September 2019

Conference Workshop C - 27 September 2019

THE ROLE OF PARLIAMENT IN FACILITATING PERSONS WITH DISABILITIES AS ELECTORS, CANDIDATES AND LEGISLATORS

Moderator: Ms Ann Jones,
AM, Deputy Presiding
Officer (Wales)

Discussion Leaders:

- Hon. John Ajaka,
MLC, President of the
Legislative Council
(New South Wales)
- Dr Morais Guy, MP
(Jamaica)
- Hon. Dennitah Ghati,
MP (Kenya)
- Senator Marilou
McPhedran (Canada
Federal)
- Ms Kerryann Ifill,
Disability Rights
Consultant and
former President
of the Senate
(Barbados)

Rapporteurs: Mr Kato
Wilberforce and Ms
Namukose Esther
(Parliament of Uganda)

The workshop focused on the role of Parliament in facilitating Persons with Disabilities (PWDs) as Electors, Candidates and Legislators. It comprised of two parts; the plenary which involved presentations from discussion leaders and a mentoring component.

The discussion focused on the promotion of effective participation of PWDs in politics; the alignment of national laws with the UN *Convention on the Rights of PWDs* (CRPD), with a focus on *Article 29* of the Convention; the role of Parliament in ensuring that ratification of CRPD by States is translated into tangible outcomes; and mainstreaming disability rights into policy formulation and legislation.

The United Nations *Convention on Rights of Persons with Disabilities* (CRPD) is a fundamental instrument in ensuring PWDs participate in political process. *Article 29* states: "*Parties shall guarantee to PWDs political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to ensure that PWDs can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for PWDs to vote and be elected.*"

The workshop used an approach of a structured

conversational process of knowledge sharing in which participants discussed a topic at several tables, with the table hosts switching tables periodically and introducing the previous discussion they had at their new table. The participants discussed three questions namely: how to create inclusive political institutions and processes; what support should be provided to PWDs who are seeking elected office; and how to make Parliament accessible and inclusive for disabled Members.

Workshop Moderator, Ms Ann Jones, AM (Wales) in her opening remarks, welcomed delegates to the workshop and informed them that the workshop stems from the inaugural CPA Conference for Parliamentarians with Disabilities held in Nova Scotia Canada in 2017. Ms Ann Jones, who has been with a disability since childhood, attributed her success to her parents who always encouraged her that she was capable of doing everything despite her disability. She informed the delegates that in her political career, she has always advocated for the rights of all people especially persons with disabilities. She appreciated the improvements which have so far been made although there is still more to be done. She introduced the five discussion leaders to the delegates.

Hon. John Ajaka, MLC,
President of the Legislative

Council (New South Wales) is a former Minister for Disability Services in New South Wales. He shared the experience of how New South Wales has supported PWDs as legislators. He informed the workshop that he had introduced the *Disability Inclusion Bill, 2013* to Parliament which was passed into law. He also presented a four-year disability inclusion action plan which was a requirement for the implementation of the Bill.

The New South Wales Parliament has implemented an inclusion strategy which supports the Parliament's mission to promote an inclusive environment to Members, staff and the community including PWDs. New South Wales has two disabled Members of Parliament. Hon. Gareth Ward, MP is the current Minister for Families, Communities and Disability Services. He is visually impaired and is the first person in New South Wales to become a Minister for Disability Services. Parliament provided him with an additional staff member to drive him from his electoral office to Parliament.

The second Member is Hon. Liesl Tesch, MP - the first Member of the New South Wales Parliament who uses a wheelchair. Parliament made improvements to the building to enable her carry out her parliamentary duties such as installing an automated door; removing some seats in the



chamber and installing partially removable seats to provide space for wheelchairs; modifying the existing brass railings on the chamber floor; cutting the underneath of the chamber table to allow space for wheelchairs; building a temporary rail into the side entrance of the Council Chamber. The modifications were made in consultation with the Member and Parliament also installed rails, handrails, lifts, accessible toilets, in order to improve on accessibility in the parliamentary building.

Dr Morais Guy, MP (Jamaica) informed delegates that Jamaica ratified the UN CRPD in 2007. Legislation that has been enacted to protect citizens including PWDs are; the *Charter of Rights 2011*; *Disabilities Act 2014*; *Representation of the People's Act (ROPA)*. To ensure that all citizens have the right to access to information, Parliament introduced sign language interpretation for persons with hearing impairments in both Houses of Parliament.

Parliament also adopted a supportive approach where PWDs hold senior positions in both Chambers of Parliament. Senator Floyd Morris became the President of the Senate in 2013. In 2016, Hon. Pearnell Charles, who has a hearing impairment, became the Speaker of the House of Representatives.

However, challenges still exist, for example where the old Parliament building has no provisions to accommodate persons with physical impairment; the seats do not allow for wheelchair accessibility; the

Chamber is on the second floor and there is no elevator. Similarly, the public gallery is not accessible to visitors with physical impairments. However, the designs of a proposed new Parliament building have incorporated all of the required amenities for PWDs.

Hon. Dennitah Ghati, MP (Kenya) said that the large turnout of delegates for this workshop was an indication that the issue of PWDs were getting due attention from Parliamentarians. She observed that the 64th CPC was being held during Deaf Awareness Month. She told delegates that she became disabled in 2014, a year after being elected as a woman Member of Parliament. Globally, PWDs constitute 1 billion people and 80% live in developing countries. Kenya has about 6.5 million PWDs.

Hon. Dennitah Ghati, MP emphasised that political participation is an integral part of universal human rights. Effective participation in political and public spheres is crucial to democracy and good governance. The political participation of PWDs allows them to make positive contributions to disability inclusive policies. This is critical to full implementation of both CRPD and the 2030 Agenda for Sustainable Development Goals.

Kenya's Constitution caters for the rights of PWDs in *Articles 55, 97(1) (c), 98 (1) (b) and 100*. There has been a significant improvement in political participation of PWDs in Kenya, although there are still barriers such as: denial of the right to vote in some jurisdictions; lack of disaggregated data on PWDs;

lack of awareness and information leading to low levels of participation in political parties; inadequate assistive voting devices for persons with sensory impairments; lack of acknowledgement of the leadership rights and/or abilities of PWDs; lack of critical political connections; irregularities in political party primaries that lock PWDs out; inadequate financial resources; failure to implement electoral rules, especially during party nominations; use of discriminatory tactics and violence to keep PWDs out of political races; lack of solidarity among PWDs across the political divide; and insufficient mobilisation of media coverage.

To ensure that PWDs effectively and fully participate in politics as electors, candidates and legislators, Hon. Dennitah Ghati, MP suggested that the following should be done:

- The CPA should ensure that every CPA Branch has at least a PWDs representative who attends critical meetings organised by the CPA;
- The CPA Constitution should be amended to create a wing of Parliamentarians with disabilities to handle disability issues;
- Parliaments must promote and champion accessibility of all public buildings by PWDs;
- The CPA should create a Commonwealth fund to support women with disabilities.

Parliaments should exercise their representative and oversight functions to promote equitable participation in public and political

life among PWDs. This can be done by ensuring accessibility of polling stations and mandating the inclusion of PWDs in political parties, the electoral system and other public bodies and institutions.

Senator Marilou McPhedran (Canada Federal) reminded delegates to ensure that the protocol to the UN CRPD is ratified because it is through this protocol that individuals can bring complaints to the United Nations. Canada ratified the UN CRPD in 2010 and steps have been taken to ensure alignment of national laws with UN CRPD by focusing on *Article 29* of the Convention that calls for active participation of PWDs in political and public life.

As a Federal State, Canada's commitment to the rights of PWDs is also a commitment of all provinces and territories. Canada's legislation for protecting the rights of PWDs include the *Canadian Human Rights Act, 1977*; the *Charter of Rights and Freedoms*, entrenched in the Canadian Constitution; and the right to vote and to run as a candidate articulated in the *Canada Elections Act*. Senator McPhedran however, noted that the application of these laws has not been complete.

The UN Convention is a tool that obligates the States to be responsible; for instance, voting procedures, facilities and materials must be appropriate, accessible and easy to understand and use by PWDs. In line with this, Canada enacted the *Accessible Canada Act*. This legislation requires federal entities to take proactive steps to remove barriers that would hinder participation of anyone with



ADAPTION, ENGAGEMENT, AND EVOLUTION OF PARLIAMENTS IN A RAPIDLY CHANGING COMMONWEALTH



a disability, have accessibility plans, provide employees and public on feedback on accessibility initiatives and provide progress reports on the fulfillment of their accessibility plans. Currently, the main Parliament buildings in Canada are being renovated and so disability access plans are being considered.

Though Canada has made great progress in passing legislation that promotes the inclusion of PWDs, there is still more to be done. Senator McPhedran was hopeful that dialogue and discussion would guarantee the rights of PWDs that match with those of the UN Convention.

Ms Kerryann Ifill, Disability Rights Consultant and former President of the Senate (Barbados) also shared her experience on how Parliamentarians can engage PWDs to ensure that they are fully functioning and integrated in the community.

After elections, Parliaments as institutions should sensitise Members on the rights, needs and abilities of PWDs. The Inter-Parliamentary Union (IPU) and other organisations have produced a handbook which encourages Parliamentarians to be aware of the UN CRPD. Disability is a cross cutting issue which can impact the lives of any one at any time or place. Therefore, policies put in place should be checked with this reality.

In Barbados, major political discussions are facilitated with sign language. It may seem

expensive as many Parliaments are reluctant, however it is not about the cost, but it is about how important it is to involve constituents. Barbados has embarked on provision of a legislative framework to promote what is necessary at parliamentary level (i.e. recognising the community of PWDs as important stakeholders in discussions).

Ms Ifill concluded by challenging Parliamentarians that their role does not end with elections; it begins after ensuring that the theme of PWDs '*Nothing about us without us*' is promoted.

Hon. Nalule Safia Juuko, MP (Uganda) noted that PWDs are the biggest minority in the world (about one billion people); hence attention should be given to their needs. She observed the lack of uniformity in the representation of PWDs in Commonwealth Parliaments and called for a legal provision in the CPA. Funds must be provided for proper implementation of disability programs and policies.

Hon. Adi Litia Qionibaravi, MP (Fiji) said that the Fiji Parliament had ratified the CRPD in 2017 and also enacted the *Disability Act*. The first person with disabilities was voted into Parliament in 2014 and he served as a Minister for Youth and Sports. Parliament constructed ramps and had a special seat to enable him to access the Chamber.

Hon. Gladys Wangari, MP (Kenya) informed delegates that through the efforts of disabled Members of Parliament, Kenya is changing its currency to

accommodate persons with visual impairment by ensuring that it has braille available. The owners of minibuses are also required to remove four seats to provide spaces for PWDs.

Emmanuel Juuko from the Deaf Development Foundation of Uganda said the foundation refers to PWDs as the '*differently abled persons*'. This is to change the way people think about PWDs by focusing on their capacity and to plan for them. Policies must match with the needs of PWDs. In 2014, Uganda had 1,839,600 persons with hearing impairment and 95% could not read, write or use sign language.

Hon. Aisha Adams, MP (Malawi) said that the Malawi Parliament had no PWDs representative. However, Parliament had one in the previous term and was elected as a Second Deputy Speaker. She proposed that legislators should enact policies that support PWDs such as: provision of free education; and employment quotas.

Hon. Amina Mollele, MP (Tanzania) proposed that the CPA should create a wing for PWDs that will be responsible for handling disability issues.

Hon. Hamza Hassan Juma, MP (Zanzibar) proposed that the CPA should always give special invitations to disabled Members of Parliament. He opened up an office for PWDs in his constituency, although he is not disabled.

Hon. Dennitah Ghati, MP (Kenya) proposed that the CPA Constitution could be amended to provide for at least one

representative for PWDs in all CPA Branches. The political parties should recognise potentials of PWDs and offer them opportunities to fully participate in politics.

Ms Kerryann Ifill suggested that Parliaments should ensure that PWDs are included at every strata in order to promote their rights. The approach to governing and working with society must value and respect all persons.

At the conclusion of the workshop, conference delegates *endorsed* the following six recommendations:

- Legislatures implement a Disability Inclusion Action Plan (DIAP) following consultation with stakeholders, including removing barriers for legislators with disability to effectively perform their duties;
- Parliament must enact laws to eliminate all forms of discrimination against PWDs seeking political offices, besides developing suitable access and other physical infrastructure in Legislatures;
- Parliaments should ensure ratification of CRPD and seek to adopt CRPD's Optional Protocol to promote transparency and accountability in upholding rights of PWDs;
- Parliament plays a more proactive role in ensuring that the ratification of the CRPD by the State is translated into tangible outcomes;
- Parliaments should promote a legislative agenda that ensures all concerned are aware of and incorporate, the rights of citizens living with disabilities;
- The Commonwealth Parliamentary Association (CPA) should form a disability network fully supported by the Association.





64th COMMONWEALTH PARLIAMENTARY CONFERENCE
Kampala, Uganda
22 to 29 September 2019

Conference Workshop D - 27 September 2019

YOUTH ROUNDTABLE: STRATEGIES TO DEAL WITH YOUTH UNEMPLOYMENT

Moderator: Rt Hon. Jacob Oulanyah, MP, Deputy Speaker of Parliament (Uganda)

Discussion Leaders:

- Mr Onapa Paul, Ministry of Gender, Labour and Social Development, Uganda
- Dr Fred Muhumuza, Makerere University, Uganda
- Hon. Mwine Mpaka, MP, Youth Member of Parliament (Uganda)

Rapporteurs: Mr Turyamureba Medard and Mr Nabaasa Moses Kameraho (Parliament of Uganda)

The conference youth roundtable was chaired by Rt Hon. Jacob Oulanyah, MP, Deputy Speaker of the Parliament of Uganda and featured Members of Parliament and youth participants from a wide range of youth organisations. The Deputy Speaker highlighted the three aspects of unemployment that is unemployment, under employment and un-employability. The youth roundtable focused on strategies to address the increasing youth unemployment which is a big challenge in most Commonwealth jurisdictions.

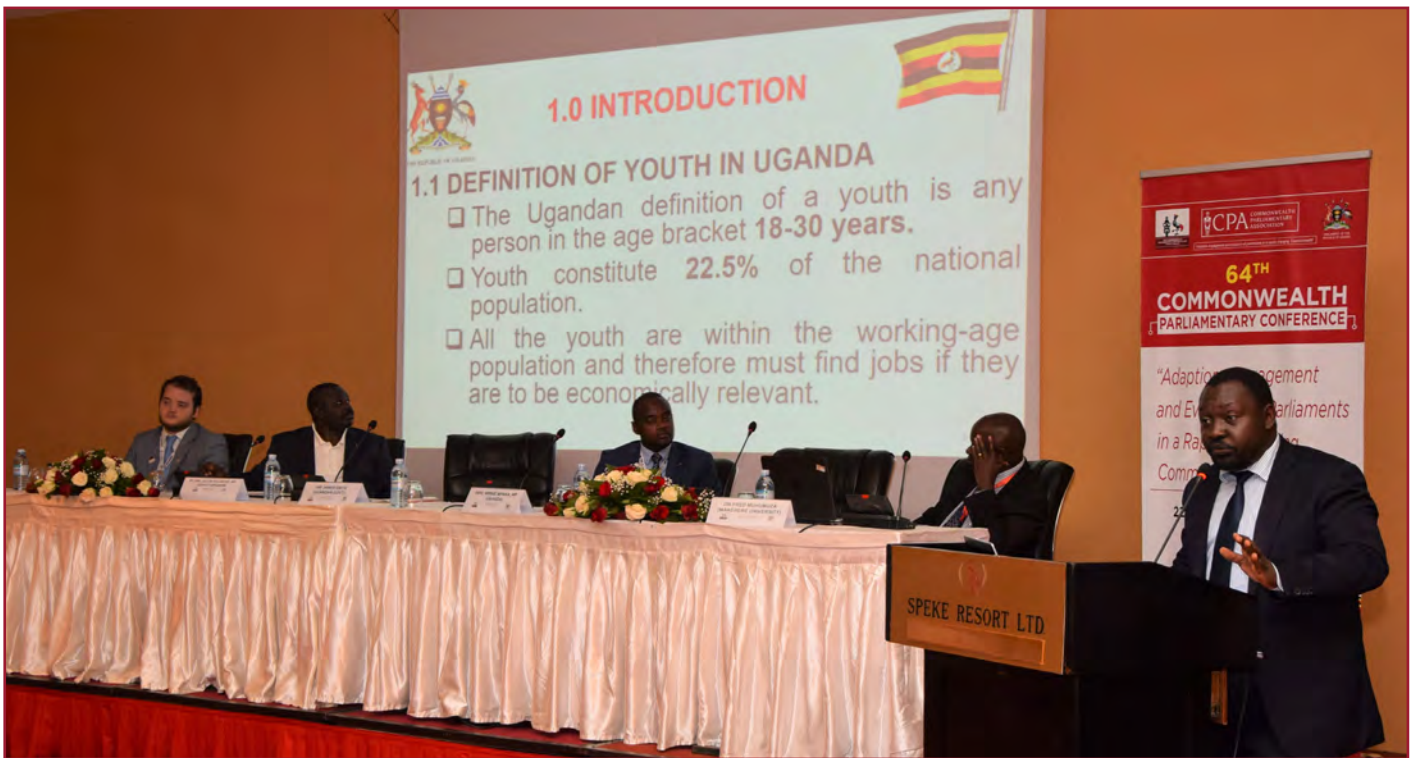
The first discussion leader, Mr Onapa Paul, Ministry of Gender, Labour and Social Development, Uganda presented statistics

on youth unemployment in Uganda, the causes and the strategies the Government of Uganda has employed to address the challenge. In Uganda, a youth is defined as someone between the ages of 18 and 30 years. Out of the 40 million people, youth constitute 22.5% of the population. All the youth are within the working-age population and therefore must find jobs if they are to be economically relevant. He indicated that according to the *Uganda Bureau of Statistics Labour Force survey 2016/17*, labour under utilization (unemployed and under employed) was estimated at 35.1% of the labour force. It is estimated also that 700,000

individuals enter the labour market, but the market is able to absorb approximately 200,000 (28.6%) only. The causes for youth unemployment in Uganda include; inadequate skills and skills/job mismatch, large informal sector, adverse effects of climate change on agriculture and poor attitudes/mindset towards work.

The Government of Uganda, in addressing youth unemployment, has focused on both supply and demand sides of the labour market to ensure labour market efficiency. These measures include; strengthening skills for enhanced labor productivity, promotion of investments in manufacturing and agriculture





sectors, increasing access to finance for enterprise support, externalisation of labour, and streamlining the informal sector.

The second discussion leader, **Dr Fred Muhumuza, Makerere University** noted that youth unemployment is a global problem. The solution to unemployment should be premised on the principles that *'demand for labour is derived demand'*. The creation of employment is dependent on the structure and growth rate of both the population and the economy. He noted that statistics show that the unemployment problem has been pronounced in low income developing countries many of which are part of the Commonwealth. Therefore, CPA Branches have to increase employment opportunities by addressing economic growth and supporting businesses for easier and faster integration. Employment is determined by growth of the economy that should be higher than the population growth rate. More so growth should be in sectors that create labour and not largely or only driven by technologies.

Emphasis was put on using both fiscal and monetary policies like giving tax rebates and lowering interest rates.

Hon. Mwine Mpaka, MP, Youth Member of Parliament (Uganda) spoke about the five types of unemployment namely frictional, structural, cyclic, seasonal and classical unemployment. He noted that the strategies to address unemployment need to target specific types of unemployment. The need for legal and policy reforms especially in education, reduction in interest rates, focus on creative industry, and regulation of externalisation of labour was underscored. He, however, noted that labour export was creating a problem of brain drain and therefore, it was imperative for Government to regulate the industry and ensure economic benefits to the country in the medium and long term. He highlighted the need for development financing for young people than relying on commercial banks that charge high interest rates and the need for investing in the creative industry.

Delegates and youth participants then contributed to the discussion.

Hon. Princess Kasune, MP (Zambia) noted that most of the discussion is on the *'brain drain'* - the emigration of highly trained or qualified people from a particular country - and asked how countries can gain from the export of labour rather than experiencing the *'brain drain'*?

Hon. Beverly Schafer, MPL, Deputy Speaker (Western Cape) noted that youth unemployment levels in South Africa were at alarming levels. Youth unemployment in the age group of 15-24 years is at 63.4%. This was largely attributed to low economic growth. Economic growth in South Africa was predicted at 0.4% this fiscal year. She emphasised the need for policies that are conducive for economic growth. The Western Cape Province policy of Skills Game Change that specifically targeted to up skill young people has not reduced the youth unemployment because of low levels of economic growth.

Mr Johnson Obbo, youth leader from Makerere University

was concerned about the lack of policies to attract educated youth to agriculture in rural areas. Youth are running to Middle Eastern countries and urban centres and yet there are opportunities in rural areas for educated youth.

Mr Erasto Richard from the Church of Uganda highlighted the need for promotion of sports in Uganda. He noted that Government has done very little in terms of promoting and financing sports departments at lower levels.

Hon. Karabo Lerato Khakhau, MPL (Free State) was concerned with the available possibilities of sustainably creating employment for young people cognizant of the current issues of climate change and the Fourth Industrial Generation that tend to limit opportunities of government to create jobs for young people.

Hon. Haruna Iddrisu, MP (Ghana) questioned the notion that labour export is dysfunctional. He instead indicated that labour export earns countries foreign exchange and also releases pressure for employment. He noted that what is required are structural changes



with policies targeted at creating employment for young people.

Hon. Aparajita Sarangi, MP (India Union) said that 65% of the Indian population is under 35 years. In India, a youth is defined as someone in the age bracket of 18-35 years. She noted that India started the *Startup India 2016 initiative*, which is doing well. Under this initiative, regulation processes were simplified and shortened to enable youth set up their own start-ups, which has made them job creators and providers. According to the Job Report 2016 findings, 60% of children and students in schools and colleges will end up in jobs which are non-existent currently. Rapid advancement in the fourth Industrial Revolution, artificial intelligence, genetics, robotics, block chain technology will greatly change our life approaches.

Mr Jeremiah Keeya Mwanje, Parliamentary Forum on Youth (Uganda) proposed that Commonwealth countries should consider exporting labour amongst themselves and this comes with standardising education qualifications and syllabuses. He noted that a person who is unemployable in

India can find himself of high demand in Uganda. He also proposed that making legal and policy frameworks less rigid would enable youth to establish start-ups and provide financing for the innovative youth to enable them commercialise their innovations.

Hon. Andrea Khanjin, MPP (Ontario) stated that the Canadian situation is somewhat different because the concern is skills mismatch where young people are unattracted by some trades, like welding. She noted that one in five future jobs in Canada will be in such areas and yet the youth spurn them as 'dirty jobs'. With the advancement in technology, these jobs are not actually 'dirty' and there is a need to attract youth to these trades.

Following the panel discussions, the workshop divided into four groups to generate recommendations to be presented to conference delegates. Each group put forward their recommendations which were discussed and harmonized to come up with the final recommendations.

At the end of the discussions, the eight recommendations at the workshop were *endorsed* as follows:

- Reforming the education system to provide practical skills and knowledge in wide areas that include creativity, innovation, mindset change, and business management. Vocational training should be enhanced to address the above.
- Streamlining the externalisation of labour to address regulation, monitoring and accountability of peer-to-peer right from country level (i.e Committees between respective Ministries of countries including Ministries of Foreign Affairs, Labour, Education, Internal Affairs and Justice).
- Provision of fiscal incentives for businesses that create job opportunities for the youth. This should also relate to the public services through creating quotas for the youth and targeting jobs at the lower skills spectrum.
- Promote entrepreneurship and business management including support for incubation centers and linkages to providers of professional business services. This will partly address the concern of knowledge transfer and ensure growth and sustainability of start-ups.
- Increase access to affordable finance including provision of grants to youth enterprises. Grant incentives can be pegged to creation of more jobs and sustaining the businesses.
- Promoting opportunities for the creative industry including establishment of institutions such as football academies and sports centers. The support to cover both the public and private sector.
- Reforming laws and policies that relate to employment especially those that are restrictive and protect those who are already in employment while reducing opportunities for entry such as minimum wage.
- Climate change aspects should be considered to ensure the environment remains sustainable and supportive of the youth employment policies and strategies for the current and future generations.





64th COMMONWEALTH PARLIAMENTS CONFERENCE

Kampala, Uganda

22 to 29 September 2019

Conference Workshop E - 27 September 2019

COMBATING RAPID URBANISATION AND RURAL DECLINE: A CHALLENGE FOR THE COMMONWEALTH

Moderator: Hon. Anthony Michael Perkins, MP, Speaker of Parliament (St Kitts and Nevis)

Discussion Leaders:

- Hon. Shri Hriday Narayan Dikshit, MLA, Speaker of the Legislative Assembly (Uttar Pradesh)
- Senator Yuen Pau Woo (Canada Federal)
- Dr Greg Munro, Secretary-General, Commonwealth Local Government Forum (CLGF)

Rapporteurs: Mr William Lubowa and Mr Basala Martin (Parliament of Uganda)

This workshop session focused on the impact of rapid urbanisation and rural decline in various jurisdictions within the Commonwealth. During the workshop, urbanisation was defined as the shift from a rural to an urban area leading to large concentrations of people into towns and cities. It was highlighted that with over half of the world's population currently living in urban areas and a further 2.5 billion expected to be added to that population by 2050, urbanisation and the concurrent rural decline will become an increasingly salient issue for leaders and policy makers in the coming years.

The major drivers of urbanisation stated at the workshop include search for economic opportunities, population growth, environmental degradation, desire for change of lifestyle, among others. The adverse effects of urbanisation include overcrowding and slums which experience major problems such as poverty, poor sanitation, unemployment and high crime rates.

It was further highlighted that urbanisation challenges are unique and vary across countries and therefore, home-based solutions should be adopted. In order to address urbanisation challenges, it is critical that countries develop and adopt integrated plans to guarantee equitable and holistic development for both the rural and

urban areas. Lastly, Parliaments should ensure inclusive budgets with a focus on rural development.

Senator Yuen Pau Woo (Canada Federal) started the discussion by noting that urbanisation is common amongst almost all countries in the Commonwealth but the challenges that come with it vary from one State to another. Senator Woo gave the experience of Canada where 80% of the population is in urban areas while only 20% resides in rural areas.

Senator Woo said that Canada is a resource dependent economy which is increasingly subject to the global forces of commodity and resource markets that drive the industries that support rural communities. These forces have very powerful effects on livelihoods of rural communities. For instance, innovations like mechanisation that require fewer workers in resource industries create population decline in rural areas because fewer people are employed in these industries. They move to urban areas in search for opportunities.

Senator Woo further said that Canada's population growth and distribution are driven by immigration because of its open immigration policy which accepts roughly 1% of its population in form of newcomers from other countries every year. However, most of these immigrants end up in

urban areas although the intention of the open immigration regime is to attract them to provinces with rural population decline.

Dr Greg Munro, Secretary-General, Commonwealth Local Government Forum (CLGF) said that urbanisation is not only about huge cities but also increased unplanned human settlements especially in places like the Pacific Region. He said that one of the key drivers of urbanisation is lack of economic activities in rural areas. For this reason, many youths move to urban areas in search of economic activities.

Dr Munro further observed that lack of women's land rights causes many women, especially widows, to move to urban places. He noted that this issue can have adverse ripple effects on women's livelihoods because they cannot utilise their land for economic activities.

In addition, he noted that cities are safer especially in countries with conflict and therefore, people usually move to urban areas for safety reasons. He observed that urbanisation challenges are unique and consequently, they vary across countries and among urban and rural areas.

Dr Munro said that the biggest challenge in regard to urbanisation is that countries plan separately for rural areas and urban areas which doesn't ensure equitable development. Accordingly, urbanisation



concerns need to be addressed in a holistic way by ensuring integrated planning for rural and urban areas.

Hon. Shri Hriday Narayan Dikshit, MLA, Speaker of the Legislative Assembly (Uttar Pradesh) said that the main challenges brought by urbanisation include an increase in slum population, acute shortage of affordable housing, shortage of drinking water, environmental problems like air, water and noise pollution, increased pressure on land, lack of mass transport among others. He observed that that urbanisation challenges are unique and vary across countries and therefore, home-based solutions should be adopted.

Dr Greg Munro emphasised that it is critical for countries to develop and adopt integrated plans that guarantee equitable development and service provision for both the rural and urban areas. In order to solve urbanisation challenges, **Dr Munro** proposed that Legislatures should ensure that the budgets are inclusive and focus more on rural and urban development. In addition, Parliaments should use their leverage to support small scale businesses in rural areas through procurement of services and goods and encourage establishment of industries in rural areas to bring economic activities and jobs to rural areas.

Hon. Shri Hriday Narayan Dikshit, MLA (Uttar Pradesh) proposed that in order to stop rampant migration to urban settlements, services such as new technology, proper infrastructure, health care, education and energy should be available to rural areas as a means of job creation to the rural youth.

Rt Hon. Rebecca Kadaga, MP, Speaker of the Parliament of Uganda noted that urbanisation is a function that causes the lack of opportunities in rural areas. She said that due to lack of job opportunities, the youth sell land in rural areas and move to

urban areas. She proposed that countries need to learn from Cuba which has been able to address urbanisation by ensuring equitable planning and development.

Hon. Dr Esther Mcheka-Chilenje, MP (Malawi) asked whether a universal policy on urbanisation could be developed and shared across Commonwealth countries. This could help Legislatures that it is implemented to address the challenges resulting from uncontrolled urbanisation.

Hon. Kassiano Wadri, MP (Uganda) blamed urbanisation on the existing education system. He observed that the current education system prepares people for white-collar jobs other than job creation. He proposed that the education system should focus more on training job creators, especially in the agricultural sector which has potential to employ many youths.

Hon. Suhaizan Kayat, Speaker of the State Assembly (Johor) shared his country's efforts to address urbanisation. He said that poverty went down and household incomes increased largely on the account of the enhanced rural infrastructure, with increased access to clean water and electricity as well as improved urban and rural linkages among others.

Hon. Syda Bbumba, MP (Uganda) said that most of the people who migrate to towns are youth who have a high likelihood of becoming criminals. She also noted that we need to create special funds to provide start-up capital for small scale businesses. She further proposed that countries need to commercialise agriculture and create agro processing industries.

A Member from South Africa asked how other countries were



addressing the challenge of the lack of clean water, especially during dry seasons. She noted that this was a major challenge for rural development and sustainability and attributed this to climatic change effects which need to be addressed. She recommended that use of plastics should be banned in all Commonwealth countries. She further advocated for targeted social support towards the much-needed services in rural areas.

Dr Greg Munro responded to the question of water shortages and he proposed that Commonwealth countries need to look into best practices for water use, water recycling, climate smart gardens and farming. He further proposed that countries can look into the training of small-scale farmers and sharing of farming equipment.

Senator Woo, on the issue of safe water, noted that a shortage of safe drinking water is common, especially in isolated communities in Canada. In regard to rural decline;

he advised that urbanisation should not be viewed as the source of decline for rural communities but rather to ensure that countries adapt the latest technologies in agriculture so as to address the urbanisation challenge.

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

- Parliaments should focus on building sustainable livelihoods in urban and rural communities that are unique to their needs and circumstances.
- CPA Parliamentarians support Commonwealth efforts on sustainable human settlements by partnering with locally elected leaders to frame policy for effective delivery at the local level.
- Rural and urban are complimentary to each other. Parliaments should focus on regulation of urbanisation and development of rural areas such as in India.





64th COMMONWEALTH PARLIAMENTARY CONFERENCE

Kampala, Uganda

22 to 29 September 2019

Conference Workshop F (CPA Small Branches Topic) - 27 September 2019

INNOVATIONS IN PARLIAMENT: THE POSSIBLE EFFECTS OF UNITED KINGDOM 'BREXIT' ON CPA SMALL BRANCHES

Moderator: Hon. Dr W. Mckeewa Bush, OBE, MLA, Speaker of the Legislative Assembly (Cayman Islands)

Discussion Leaders:

- Mr Tom Healey, Parliamentary Clerk (United Kingdom)
- Hon. Stuart McMillan, MSP (Scotland)
- Deputy Jeremy Smithies (Guernsey)
- Hon. Maggie Barry, MP (New Zealand)

Rapporteurs: Mr Katumba Salim and Mr Ben Kokas Okiror (Parliament of Uganda)

The workshop was focused on the effects of 'Brexit' on the parliamentary procedures in the United Kingdom and how small Parliaments can benefit and learn from the ramifications and strengthen the workings of their Legislatures. The session also looked at implications of 'Brexit' on trading relations, how to deal with any potential ramifications on an economic scale, involving the consideration of larger states like Scotland and New Zealand.

The session also considered discussions on how 'Brexit' will influence the global trading landscape within the Commonwealth and how policymakers can ensure their country is not left out. The workshop also examined how small states can influence larger states on issues especially in regard to how to handle 'Brexit'.

Mr Tom Healey, Parliamentary Clerk (United Kingdom) noted that backbench MPs in the UK Parliament have taken control of the House of Commons order paper, thus shaping the 'Brexit' discussions in the House. He informed delegates that the United Kingdom Government at the moment doesn't command respect in influencing business in the House of Commons. This explains why backbench Members of Parliament, not only table questions, debate on substantial Bills, and table Private

Members Bills, but have also gone ahead to influence what is to be discussed on the order paper.

He further noted that biggest challenge is the issue of no agreement by Members on the terms of leaving the European Union. Without the United Kingdom moving forward in this area, the 'Brexit' debate might take a long time to concluded and further discussion in the House of Commons would inevitably take place.

Hon. Stuart McMillan, MSP (Scotland) informed the audience that Scotland's position to remain in the European Union has not changed. He revealed that many members of the public in Scotland strongly voted for the United Kingdom to remain as a member of the European Union.

He noted that after 'Brexit', it is predicted that up to 40,000 jobs would be lost in Scotland, thus rendering many Scottish people unemployed. Scotland is a strong beneficiary from the European Union with benefits like free scholarships and this would be jeopardized if the UK were to leave the EU.

He highlighted that Scotland is discussing with the European Union to remain a beneficiary of the European Union market, irrespective of the decision the United Kingdom takes on whether to leave or stay as a member of the European Union.

Deputy Jeremy Smithies (Guernsey) noted that Guernsey fully depends on the United Kingdom and so whatever situation that affects the UK, fully affects Guernsey. He informed the house that the issues of 'Brexit' are important to the people of Guernsey and its Government, to the extent that a Parliamentary Committee has been set up to monitor the 'Brexit' situation and it is mandated to meet every week. This is because what affects the United Kingdom directly, affects Guernsey, irrespective of the fact that Guernsey is about 100 miles away from the United Kingdom and about 20 miles away from France. Most food consumed in Guernsey comes from United Kingdom through Portsmouth; not only food but most good used in the country.

He noted that small Overseas Territories are independent but maintain a relationship with the United Kingdom. Guernsey has a different status as a Crown Dependency; Guernsey is linked to the UK through the Crown of the United Kingdom but is independent of the UK Government. He ended by concluding that the people of Guernsey would wish to hear discussions that will bring about the end of the 'Brexit' process.

Hon. Maggie Barry, MP (New Zealand) started by noting that



the United Kingdom has a close relationship with New Zealand. She observed that the European Union as a bloc is stronger, of course, with all its members and that the UK can't be as strong as it can be, when it's with the European Union bloc, it is weaker alone.

She informed delegates that New Zealand are negotiating with the European Union to see how they continue in benefiting from the bloc, irrespective of the status of the UK. However, she concluded by arguing that Commonwealth countries should support the UK in the process of exiting the European Union because that's what the people have voted for.

Hon. Clayton Mitchell, MP (New Zealand) made an observation to delegates that since 2005, it is only former Prime Minister, Rt Hon. Tony Blair that has won the United Kingdom elections with a major majority, while others have been winning with smaller margins, which explains how unpopular they are. He stated that this explains one thing; that the people in the UK have lost confidence in the Government and he advised that the UK Government should look for a way to gain the people's confidence.

Hon. Beverly Schafer, MPL, Deputy Speaker (Western Cape) advised that if the issue of the UK remaining in the European Union is related to benefiting from the European market, then the UK and those states that are dependent on it, should look outside Europe. They should take advantage of the markets

in Africa, in Asia and other parts of the world; she also noted that such markets are even bigger than the European market.

Hon. Kenneth Bryan, MP (Cayman Islands) asked the panellists how their countries will handle the situation 'post-Brexit', if it finally happens. The question was aimed at how the Cayman Islands can take lessons from other countries on how they plan to handle the 'post-Brexit' situation it happens. All the panellists replied that their respective states have a Parliamentary Committee that is handling 'Brexit' issues, because what happens in the United Kingdom concerns all of them irrespective of the levels of independence that they have. The recommendations from such Parliamentary Committees will form the basis of the handling of the issues 'post-Brexit'. This is also dependent on whether the UK finally leaves the European Union or not.

Deputy Lyndon Trott (Guernsey) asked to what extent the United Kingdom has considered finding a solution for those jurisdictions who have been impacted negatively outside the United Kingdom, especially by the 'Brexit' discussions?

Mr Tom Healey replied that there is no doubt that United Kingdom's internal and external relations have been weakened by the 'Brexit' debate. He also observed that the United Kingdom Government has failed to control the 'Brexit' debates in the House of Commons. He also stated that he was not

aware of the extent that the UK Government has gone to provide solutions to those impacted negatively by the 'Brexit' debate.

Hon. Patricia Gordon-Pamplin, MP (Bermuda) noted that the continued 'Brexit' uncertainties are fully affecting the UK Overseas Territories like Bermuda. This includes young people that have benefited from the employment muscle, the education scholarships and other schemes coming from the UK. She concluded by recommending that the UK should resolve the issue because it is affecting its allies.

Hon. Patrick Nsamba, MP (Uganda) wondered if the United Kingdom is willing to close market doors to other European countries; and that this won't directly affect third world countries like Uganda that exports and import directly to/from the United Kingdom. He justified his argument by noting that if the United Kingdom is ready to close the door on Europe, what will stop them closing the door on other countries like Uganda.

Hon. Dan D'Autremont, MLA (Saskatchewan) argued that the United Kingdom, together with the UK Overseas Territories, should put in place arrangements to look at new partners for trade, apart from Europe, giving the examples of Asia, Africa and the Americas.

Hon. Dennis P. Lister, MP, Speaker of the House of Assembly (Bermuda) reported that he was furious with all that is happening in in the UK and with the failures to effectively manage the 'Brexit' debate. He asserted that because of such a failure, the UK Overseas Territories, like Bermuda, are being affected in many different ways, especially economically.

Four recommendations proposed by the discussion leaders at the workshop session were *endorsed* as follows.

- Parliaments should consider the interaction between procedural rules and statute law, and how far flexible approaches to procedure allows for adaptation to unexpected political circumstances.
- Parliamentary scrutiny and oversight by all United Kingdom Legislatures should play a key role in the development of the United Kingdom's international relations after 'Brexit'.
- It is essential that Parliament acts early, considers all possible outcomes and puts in place the necessary legislation whilst ensuring the allocation of adequate resources.
- To support the United Kingdom through their democratic 'Brexit' process and establish long-term and sustainable Free Trade Agreements with individual Commonwealth countries.

A further recommendation was developed and *endorsed* by all of the workshop participants:

- Reflecting the concerns of some of the CPA Small Branches on which 'Brexit' has had a profound effect, such Branches must be involved in substantive discussions with the United Kingdom on their international relations.





**64th COMMONWEALTH PARLIAMENTS CONFERENCE
Kampala, Uganda
22 to 29 September 2019**

Conference Workshop G (Gender Topic) - 27 September 2019

FOSTERING A CULTURE OF RESPECT, FAIRNESS AND DIGNITY: SEXUAL HARASSMENT HAS NO PLACE IN LEGISLATURES

Moderator: Hon. Syda Namirembe Bbumba, MP (Uganda), CWP President

Discussion Leaders:

- Hon. Margaret Mitchell, MSP (Scotland)
- Hon. Anahila Kanongata'a-Suisuiki, MP (New Zealand)
- Hon. Sharon Claydon, MP (Australia Federal)
- Dr Lesley Clark, CWP Alumni Champion and former Member of the Queensland Parliament

Rapporteurs: Hope Kasedde and Henry Odetta (Parliament of Uganda)



This workshop session focused on the ways in which Parliaments can effectively combat bullying and harassment in the workplace. It explored practical strategies that can be implemented to prevent sexual harassment and bullying within Parliaments, which has become common culture and normalised behaviour.

This workshop topic was also discussed in a session at the Commonwealth Women Parliamentarians (CWP) Conference a few days previously and called for an in-depth engagement.

Hon. Margaret Mitchell, MSP (Scotland) called for openness, fairness and equality among Members and parliamentary

staff, emphasising a culture of respect catering to diversity, inclusiveness and adherence to the code of conduct. There had been an observed failure to report matters of sexual harassment by victims because of the embarrassment and dent on their careers.

Hon. Anahila Kanongata'a-Suisuiki, MP (New Zealand) argued against the language used in descriptions of sexual harassment as incomplete and limiting. The panelist highlighted a recent inquiry into sexual harassment carried out by the New Zealand Parliament, whose recommendations centered on upholding culture, values and leadership.

Hon. Sharon Claydon, MP (Australia Federal) thanked the Commonwealth Women Parliamentarians (CWP) for championing the issues of women Parliamentarians, paying tribute to those who led earlier struggles in legislation which has engendered respect and fairness. The panelist advocated for equality in representation by gender in Parliaments as is the case in the Federal Parliament of Australia.

Dr Lesley Clark, CWP Alumni Champion spoke about the push for appropriate education, training and a code of conduct in addressing sexual harassment, noting the lack of support to sexual harassment victims.



She outlined identified ways of dealing with sexual harassment including; socio-psycho support, counselling and confiding in a mentor with parliamentary experience.

All four recommendations were endorsed by the workshop as follows:

- Respectful language, upholding dignity of people, is fundamental to enhancing the quality of experience for all. Prevention and action

on sexual harassment complaints is imperative.

- All Parliaments adopt a zero-tolerance approach to sexual harassment, with robust procedures which take complaints seriously, crucially including awareness-raising about what is unacceptable.
- Parliaments should support women MPs and provide confidential counselling services, foster mentoring

through programmes such as the CWP Alumni Initiative and support women's caucuses.

- In order to create and sustain gender sensitive cultures within Parliaments, to combat discrimination and sexual harassment we need to support more women into elected Parliamentary positions at all levels.

“This workshop session focused on the ways in which Parliaments can effectively combat bullying and harassment in the workplace. It explored practical strategies that can be implemented to prevent sexual harassment and bullying with in Parliaments, which has become common culture and normalised behaviour.”





64th COMMONWEALTH PARLIAMENTS CONFERENCE

Kampala, Uganda

22 to 29 September 2019

Conference Workshop H - 27 September 2019

THE ROLE OF PARLIAMENT IN THE DOCTRINE OF SEPARATION OF POWERS: ENHANCING TRANSPARENCY AND ACCOUNTABILITY

Moderator: Hon. Christine
St-Pierre, MNA (Québec)

Discussion Leaders:

- Hon. Shri Rajendra Trivedi, MLA, Speaker of the Legislative Assembly (Gujarat)
- Hon. Shamsul Iskandar Mohd Akin, MP (Malaysia)
- Hon. John Mbadi Ng'ongo, MP (Kenya)
- Mr Brian Speers, President, Commonwealth Lawyers Association (CLA)

Rapporteurs: Ronald Bagaga
(Parliament of Uganda)

Arising out of the workshop theme, the participants were given a background highlighting the importance of the doctrine and the efforts of the Commonwealth in popularizing the same. Among others, the development of the Commonwealth Latimer House Principles was noted as critical. The Moderator's remarks focused on whether there was need to update the principles and whether legislators were doing enough to ensure the accountability and transparency of the Executive and Judiciary.

Hon. Shri Rajendra Trivedi, MLA, Speaker of the Legislative Assembly (Gujarat) kick-started the panel presentations by underscoring the critical importance of the doctrine of the separation of powers. He pointed to the logic of the doctrine as crucial for democracy in that it helps avoid governance chaos. Albeit, he stressed that fact that the separation did not mean a water tight severance of the different arms of government but rather a harmonious co-existence of the three arms of government acting upon each other as checks and balances in the exercise of their constitutional mandates.

He cited the different manifestations of the doctrine enshrined in the Indian Constitution to ensure the proper operation of this doctrine.

These included parliamentary oversight mechanisms like the Public Accounts Committee which scrutinizes government expenditure; parliamentary enactments like the *Right to Information Act*, *Right to Education Act*, and the establishment of independent state agencies like the Public Service Commission, Election Commission, Auditor General among others.

Hon. Shamsul Iskandar Mohd Akin, MP (Malaysia) followed on with a paper on the theme of the workshop. In his presentation, the current tussle between the Executive and Legislative arms of government as played out in the UK Supreme Court's decision on the prorogation of the UK Parliament was enlightening and timely. Indeed, according to the panellist, the current global trend of strengthening Executive powers in major democracies, like the UK and the USA, warrants a reconsideration of the role of Parliament as a check and balance mechanism to the powers of the Executive.

He further noted the fundamental principles buttressed in the foregoing UK Supreme Court case. These were that; the primacy of Parliament meant that the Legislature should enact laws that all are obliged to obey and that the principle of parliamentary accountability, which required

that the exercise of all Executive power be accounted to the Legislature, shaped the core of Westminster parliamentary democracies. He then alluded to the philosophical underpinnings of the doctrine of separation of powers stretching as far back as the ancient times in the classical writings of philosophers like John Locke and Montesquieu.

Whilst laying emphasis on the benefits of the doctrine, the panellist posited that the parliamentary privilege of exercising freedom of speech must be at the centre of ensuring that Parliament plays its role of checking the Executive powers. He however hastened to warn that it would not be sufficient to exercise freedom of speech alone. Accordingly, he pointed to the other key strategies for strengthening Parliament in the exercise of its role over the Executive. These include the rules on Ministers' Question Time, the use of Parliament's Select Committees, positioning of opposition MPs in critical parliamentary organs and the establishment of an independent parliamentary service, among others.

Finally he cited examples that demonstrate Malaysia's parliamentary reform efforts towards that end. These among others include the appointing of Opposition MPs to lead the



Public Accounts Committees of Parliament, drafting of a Bill to give the Parliamentary Commission greater independence in terms of staffing and budget of Parliament, and the motion calling on all MPs to declare their assets.

Drawing inspiration from George Orwell's novel, 1984, he noted that power corrupts, and absolute power corrupts absolutely. He then rallied the delegates not to neglect the mandate of ensuring that Parliament does not abscond from its noble duty to act as the bulwark against the excesses of Executive power.

Hon. John Mbadi Ng'ongo, MP (Kenya) concurred with the previous panellists in laying out the rationale of the doctrine of separation of powers. In fact, to him, the key take-away from the theory of the operation of the doctrine was that the responsibility, functions and the powers of the three arms should be distinct. Indeed this meant that the power, the functions and personnel of the three arms of government should be different.

The discussion leader from Kenya emphasised that the value of the doctrine could be seen playing out in the current global events in this regard in the USA and the UK. All in all, he noted that the net beneficiary

was the citizen on whose behalf the delegated powers to the three arms of government are exercised. Thus the citizen should always be in focus in the discussion.

In illustrating the manner in which this separation is practised, he alluded to the exercise of parliamentary oversight and appropriation powers, judicial review powers, and the requirements for the Executive expenditure accountability reports to Parliament.

He then shared the Kenyan experience, where he noted that the use of regular elections alone was not a sufficient guarantee of checking on the Executive powers in the absence of other governance mechanisms. Thus he asserted that regular elections were not equal to democracy.

Mr Brian Speers (Commonwealth Lawyers Association CLA) premised his presentation in the existing efforts of the Commonwealth and the CPA to cement the principles being discussed. He traced these efforts from the *Harare Declaration Principles of the Separation of Powers, 1991* in which CPA Members committed to put in place mechanisms for implementing the doctrine of the separation of powers. These were further reinforced with the Commonwealth Latimer House

Principles. Further, he noted the *Nairobi Plan of Action for Africa, 2005*. Of crucial challenge was the fact that no action has come out of these efforts. Realizing the need for action led to the *Edinburgh Declaration of 2008* which among others recommended a toolkit to guide action on the Commonwealth Latimer House Principles and availing resources to the arms of government and thus promote the implementation of the key pillars of the rule of law under discussion. He offered the readiness of the CLA to help in getting some traction in this area.

He underscored the need to train officials and persons playing a role in implementing these rule of law principles. This, he argued, could be supported through the readiness of his organisation to do the same.

In closing he applauded the UK Supreme Court ruling on the prorogation of the UK Parliament, which in his view went a long way to highlight the primacy of Parliament and the need for the separation of powers.

At the end of the panel presentations, the question and answer sessions ensued and elicited a number discussion points.

Senator Mohamed Faki Mwinyihaji (Kenya) noted that the legislative power of

Parliament is sometimes usurped by the Executive by crafty means. Indeed in some cases the notion of state capture renders the other arms of government ineffective. The involvement of Executive Members in the legislative business was raised as another matter of concern to him.

Hon. Betty Aol Ocan, MP (Uganda) concurred with the assertion that regular elections do not in themselves equate to democracy. She wondered whether lobbying which seems to create conflicts of interest, was acceptable as a practice in legislative function. Further she noted corruption was among the bad practices that stifle expression of the views of the people. She challenged the CPA to demonstrate its value in influencing the uptake of democratic practices among its Members. She sought clarity on whether it was good practise to have active soldiers as representatives in the Legislatures.

Hon. Princess Kasune, MP (Zambia) raised concerns relating to the role that the CPA plays in enabling the implementation of the doctrine of the separation of powers. She wished to know that CPA can do something in relation to some of the problems faced by member Branches. She also raised the adverse effects



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of what she called the arrogance of numbers; where what the majority wishes takes the day regardless of validity of the minority concerns.

Senator Wade Mark (Trinidad and Tobago) asserted the classical statement that power corrupts, and absolute power corrupts absolutely. He went on to call for exploration of the practical measures that ensure that in small Legislatures enjoy the principles elucidated in the discussions.

Hon. Gladys Nancy Tembo, MP (Malawi) stated that the principles being discussed were enshrined in the Constitution; however, the power of the purse needs to be looked into because it did undermine the implementation of these principles. According to her, the CPA should voice its

position on some of the excesses in the Branches so that there is a sense of an external audit taking place. She noted that some of the mechanisms that undermine other arms of government included 'window dressing' by the Executive; these must be checked by the CPA in voicing its concerns.

Hon. Haruna Iddrisu, MP (Ghana) observed that the convention that the Public Accounts Committee should be chaired by the Opposition was well established in Ghana. He however disagreed with the tendency to measure the independence on the judiciary based on a single ruling. In commenting on the UK Supreme Court ruling, he noted that it further underpinned the need for the separation of powers. In his view he advised that

the legislative organ should endeavour to be less dependent on the Executive for its funding.

Rt Hon. Rebecca Kadaga, MP, Speaker of Parliament (Uganda) asserted that the operation of the principles being discussed here required that the Legislature is resolute in protecting its space. This should be guarded by the level of determination of the head of the Legislature. In her personal experience, this has been the case. On the other hand, she advised that Legislatures must utilize mechanisms that make it difficult for the Executive to overrun it.

The session was then reconstituted into smaller breakaway groups for delegates to discuss specific aspects of the theme of separation of powers in order to inform the workshop recommendations and resolutions.

At the close of the workshop, recommendations were proposed and *endorsed* as follows:

- Through Parliament, people exercise their sovereign power. Parliaments must diligently secure practical and well-executed constitutional separation of powers for greater

democratic dividends and good governance.

- Parliaments should seek to replicate Gujarat's approach to ensure the doctrine of separation of powers is well entrenched in constitutions, and that legislation passed, is done so in a transparent manner.
- As the stark reality of the authoritarian tendency of the Executive, Parliamentarians must be able to speak their mind in debates, without fear or favour.
- The CLA supports the promotion of and training in the Latimer House Principles and notes:
 - the continuing need for implementation and compliance by Governments particularly to ensure that legislatures have robust independent accountability mechanisms (e.g. through select committees) by which Ministers are held to account and
 - the need to ensure Peer review mechanism by CMAG is appropriate and effective.





**64th COMMONWEALTH PARLIAMENTARY CONFERENCE
Kampala, Uganda
22 to 29 September 2019**

Conference Workshop I - 28 September 2019

**POST-LEGISLATIVE SCRUTINY (PLS): A DIMENSION
OF THE OVERSIGHT FUNCTION OF PARLIAMENT.
HOW IS THIS REPRESENTED WITHIN DIFFERENT
POLITICAL SYSTEMS?**

Moderator: Hon. Maryse Gaudreault, MNA, Vice-President of the National Assembly (Québec)

Discussion Leaders:

- Hon. Shri Rajendra Trivedi, MLA, Speaker of the Legislative Assembly (Gujarat)
- Ms Wendy Hart, Inter-Parliamentary Relations Officer, Parliament of New Zealand and CPA Pacific Regional Secretary
- Ms Zoe Oliver-Watts, Regional Director Africa, Westminster Foundation for Democracy

Rapporteurs: J. B. Kagoro and Webby Bwire (Parliament of Uganda)

The workshop discussion centered on Post-Legislative Scrutiny (PLS) as a vital tool in assessing the relevancy and quality of regulations and laws enacted that in relation to the intended objectives.

Hon. Shri Rajendra Trivedi, MLA, Speaker of the Legislative Assembly (Gujarat) submitted that part of the role of Parliament is to evaluate and assess how Governments implement laws, policies and regulations right from the Bill, the law enactment process through to the enacted laws and to make a determination whether the intended objective of the law is achieved. He further stated that the initiation of post-legislative scrutiny can be on request from the public or by Parliaments themselves.

It was noted that Parliaments

across the Commonwealth have variations in their approach to the PLS process, with some focusing more on legislation and less on post-legislative activities. However, they remain key engines of PLS that feed into the House business and public consumption through technical scrutiny reports.

He identified critical Committees in post legislative scrutiny, as seen in Gujarat, to include among others: Government Assurance, Business Advisory and Public Accounts. Furthermore, Commissions of Inquiry form part of the fora for effective PLS.

He indicated that the role played by Parliamentary Committees in their support of post-legislative scrutiny is very vital. Committees scrutinize

sector reports, examine financial audit reports and budgets for statutory agencies, evaluate implementation of government assurances, consider petitions, review and examine of administrative excesses and hold government accountable for any gaps in policy implementation.

He noted that India has a parliamentary practice of encouraging debates on statutory motions and government work, which serves to generate ideas and provide answers to questions where implementation gaps exist.

He observed that the effective oversight function of the Legislature and administrative accountability by governments to the Legislatures is a cornerstone of democracy and an indicator of the principle of good governance respectively.





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He submitted that India has other mechanisms that support PLS such as legal challenges against unconstitutional provisions and civic pressure on government against legal regimes that violate citizens' rights. He recommended that laws should be time-sensitive, and reviews should be mandatory to reinforce credence to the PLS.

Ms Wendy Hart (Parliament of New Zealand and CPA Pacific Regional Secretary) indicated that some Commonwealth countries tend to concentrate on the enactment of laws without significant effort on PLS. Pre-legislative processes such as calls for memoranda and views from the public are more emphatic in relation to any other PLS activities.

She pointed out that the New Zealand Parliament being unicameral, has a large number of representatives (120) elected on proportional system which sometimes are a basis for the slow PLS, especially at Committee level.

New Zealand has the following Committees which are crucial for PLS:

- (i) Regulations Review Committee
- (ii) Legislative Design Advisory Committee

In addition, there are Commissions of Inquiry that are reactive in nature and that focus on investigating policy failure.

Some of the challenges cited for New Zealand include general lack of legal framework to support operationalization of PLS; capacity gaps within oversight Committees; unplanned and informal way in which the PLS function is carried out; government laxity to implement recommendations of Parliament; and resource constrains at Committee level.

She recommended that PLS should be introduced among the Commonwealth Parliaments that do not have processes in place; to establish collaboration in the sharing of resources for PLS;

and to encourage cyclical and review functions touching on the implementation of policies and initiating inquiries.

Ms Zoe Oliver-Watts, Regional Director Africa, Westminster Foundation for Democracy noted that the focus of her presentation of the United Kingdom's model of PLS was to facilitate learning of best practices, improvement regulation and implementation of laws and policies amongst delegates. She noted that the United Kingdom's model of PLS focuses on checking the implementation of the enacted laws and policies and how they work. However, it is not deliberately planned to provide an opportunity to revisit and revise regulation.

She noted that most PLS is done indirectly where Parliament, through questions, asks to government officials and Ministers to provide feedback to the public. For areas that need deeper investigations, Select Committees and Commissions of inquiries are set up as information gathering fora on enacted legislation and their impact on the masses.

She revealed that in a step towards strengthening PLS, the UK Parliament introduced new formal reviews in 2008 after piloting many other systems and agreeing with government. This particular system starts with a government review of how legislation has been implemented and thereafter, the findings are published as a command paper, given to Parliament which later submits it to the relevant Committee.

The findings of the review determine whether the Committee launches an inquiry into the effect of the legislation especially where the impact is negative.

The UK House of Lords considers the publication and thereafter, government starts the process of PLS by producing a memorandum. However, the action taken as a result of the

findings is indirectly.

She emphasised that PLS is a very important process in Commonwealth Parliaments and should be treated as such. However, many Parliaments are too busy to commit the needed time and resources for PLS. In the UK, the House of Commons and House of Lords are sensitive not to create additional burden on government, since it initiates the process. Part of the routine work in the Committees is a vital part of the PLS. There is in-depth PLS scrutiny of few laws.

Hon. Jacob Oulanyah, MP, Deputy Speaker (Uganda) stressed that whereas budget estimates and other pre-legislative scrutiny and oversight are well undertaken, post-legislative scrutiny and oversight is very weak. There are hardly any timelines and strategies of reinforcing PLS and suggested that this trend should change to position Parliaments to serve their countries better. He recommended that Parliaments should adopt formal institutions to handle PLS through creating systems to call back the purposes for accountability.

Hon. Kenneth Natapai, MP (Kiribati) reinforced the recommendations to adapt more efficient ways of scrutiny in relation to CPA Small Branches that have fewer legislators handling enormous work. To this end, emphasis was put on strategies, external research and collaboration within and outside the CPA Small Branches, building strong relationships with universities, law commissions, pooling resources together and work in a more collaborative approach, support joint budget analysis.

Hon. Nathan Cooper, MLA, Speaker of the Legislative Assembly (Alberta) suggested that PLS should be carried out five years after the enactment of the law or at least a specific review period for the process be given.

A delegate from New

Zealand suggested the need for community training on PLS to encourage more participation in and involvement of communities in Parliaments' affairs, like the case is in the UK.

Hon. Roopa Ganguly, MP (India) called for the evaluation of Commonwealth countries' performance on PLS besides Canada, UK, Australia and New Zealand to find ways of stemming limited participation of the public and rushed processes.

Hon. Dr Morais Guy, MP (Jamaica) sought information on specific Committees that would take a lead role in the PLS. The example of India was given where the law commissars lead discussions, seminars and workshops, engage with human rights commissions, hold consultations with lawyers and other stakeholders on matters relating to human rights.

Hon. Beverly Schafer, MPL, Deputy Speaker (Western Cape) submitted that both pre- and post-legislative scrutiny processes should be strengthened to avoid repealing of laws shortly after they are enacted.

The discussion on post-legislative scrutiny generated the following recommendations that were *endorsed* unanimously by the delegates:

- Post-legislative scrutiny is a valuable oversight tool, part of end to end iterative process, through which parliaments can evaluate efficacy, quality and relevancy.
- Parliament should evaluate implementation of legislation passed and policy framework of Government through well-structured Committee System as well as other mechanisms.
- PLS requires resources: in designing PLS systems, Parliaments should consider what they can contribute themselves, and what they can ask others to contribute.



64th COMMONWEALTH PARLIAMENTARY CONFERENCE

Kampala, Uganda

22 to 29 September 2019

Conference Workshop J - 28 September 2019

HOW THE UPDATED CPA BENCHMARKS FOR DEMOCRATIC LEGISLATURES HAVE BEEN USED TO STRENGTHEN THE CAPACITY OF CPA LEGISLATURES

Moderator: Mr Anthony Smith, CEO, Westminster Foundation for Democracy (WFD)

Discussion Leaders:

- Hon. Mark Parton, MLA (Australian Capital Territory)
- Dr Roberta Blackman-Woods, MP (United Kingdom)
- Hon. Hubert Kim Swan, MP (Bermuda)
- Mr Anthony Staddon, CPA Consultant

Rapporteurs: Josephine Watera and Catherine Ninsiima (Parliament of Uganda)

This workshop session focused on Parliaments having a greater self-awareness of their performance based on the updated *CPA Recommended Benchmarks for Democratic Legislatures*. The CPA Benchmarks provide a framework for excellence in Commonwealth parliamentary and legislative practice.

Workshop Moderator, Mr Anthony Smith (Westminster Foundation for Democracy WFD) gave a general overview on the importance of the CPA Benchmarks linking them to the Sustainable Development Goals (SDG 16, 5 and 10.2). He informed the audience that the workshop was aimed to share their experiences on how the Benchmarks can be applied in different contexts.

Mr Anthony Staddon provided an overview of the CPA

Benchmarks and the evolution journey from 87 indicators in 2006 to 132 benchmarks in 2018. The CPA Benchmarks have today moved beyond minimum standard to become more aspirational in scope.

The second panellist, Hon. Mark Parton, MLA (Australian Capital Territory) observed that even though our lives evolve around what Parliaments do, Parliamentarians are not genuinely excited about the CPA Benchmarks, but on winning the next elections. He emphasised that the CPA Benchmarks provide an opportunity for self-assessment, which is the best for improving performance.

The third panellist Dr Roberta Blackman-Woods, MP (United Kingdom) reiterated that details in the CPA Benchmarks are very critical in helping to deal with challenges like 'Brexit' and hence,

establishing the supremacy of Parliaments. The Benchmarks also ensure measures are in place to support new MPs to flourish and thrive in Parliaments, especially women.

The final panellist Hon. Hubert Kim Swan, MP (Bermuda) stressed that Legislatures should aspire to accomplish the fundamental principles of humanity entailed in the CPA Benchmarks, these are: democracy, accountability, openness, service, transparency and honesty.

Three recommendations were *endorsed* by the workshop as follows:

- That consideration be given to developing an abridged version of the CPA Benchmarks in order to encourage the uptake of assessments.
- Recommended CPA Benchmarks are imperative and when implemented conjointly will help facilitate the growth of democracy for the betterment of the people of respective Parliamentary jurisdictions.
- CPA Branches to review their Parliament's capacity and performance using the updated CPA Benchmarks for Democratic Legislatures and report on the results.





64th COMMONWEALTH PARLIAMENTARY CONFERENCE Kampala, Uganda 22 to 29 September 2019

CPA Commonwealth Lecture - 27 September 2019

ROLE OF COMMONWEALTH PARLIAMENTARIANS IN MAINTAINING SECURITY AND STABILITY IN EASTERN AFRICA IS HIGHLIGHTED AT 2ND CPA AFRICA REGION COMMONWEALTH LECTURE IN UGANDA

Moderator: Rt Hon. Jacob L’Okori Oulanyah, MP, Deputy Speaker of the Parliament of Uganda

**CPA Lecturer:
Hon. Dr Crispus Kiyonga - Ugandan physician, politician and diplomat. Former Ugandan Ambassador to China and Minister of Defence in the Government of Uganda.**

Discussion Leaders:

- **Kasaijja Phillip Apuuli, Associate Professor at Makerere University, Uganda**
- **Hon. Simon Mulongo, Deputy Head of the Africa Union Mission in Somalia**

Rapporteurs: Herbert Ngabirano, Ben Kokas Okiror, Olive Eyotoru and Marin Basala (Parliament of Uganda)

The role of Commonwealth Parliamentarians in maintaining security and stability in society in Eastern Africa has been highlighted at the second CPA Africa Region Commonwealth Lecture which took place at the 64th Commonwealth Parliamentary Conference in Kampala, Uganda. Hon. Dr Crispus Kiyonga highlighted the significant role that Commonwealth Parliamentarians can play in facing the challenges of terrorism with a CPA Lecture titled: *‘Maintaining Stability, Evolution, Dynamics and Challenges of Terrorism in Eastern Africa’*. Dr Crispus Kiyonga is a Ugandan physician, politician and diplomat, who has previously served as Uganda’s Ambassador to China and as the Minister of Defence in the Government of Uganda (2006 to 2016).

During the CPA Lecture, Dr Kiyonga provided a working definition of terrorism, its geography and impact in the Eastern Africa Region as well as a profile of some terrorist groups operating within the region. Dr Kiyonga spoke about political violence and its objective of instilling fear in places where governance is often weak. The lecture examined the effects of terrorism which include threats to state survival, mass loss of life and impediments to economic development.

He noted that Africa is the

continent that most suffers from the world’s biggest challenges and this is the same case with terrorism. Africa, though, cannot afford to have more challenges because the existing ones are already overwhelming. He highlighted Uganda’s legislation on terrorism and also hinted that there are ‘hotspots’ for terrorism in the world – with Eastern Africa being one.

Dr Kiyonga outlined the various methods used by terrorists and these include: radicalisation of young people – kidnaps, abduction; taking advantage of people who have grievances, difficult situations etc; using resources and generating funds from various sources. He mentioned that terrorist attacks are wide-ranging including all kinds of military expeditions like suicide bombing and ambushes, shooting and blowing up equipment. He further highlighted the increasing prevalence of cyber-terrorism and the use of social media.

He focused his presentation on Africa as a continent where there are off-shoots of political terrorism and some groups focus on religious radical elements. He noted that ‘ineffective’ states are fertile grounds for terrorists.

Dr Kiyonga also highlighted the challenges of dealing with terrorists in Africa. These include the challenges of intelligence

gathering and technological gaps. Sub-Saharan Africa is the most affected part of the African continent by terrorism, especially in Nigeria, Cameroon, Mali, Democratic Republic of the Congo, Burundi, Uganda, Kenya and Somalia. The main active groups are Boko Haram, Al Shabaab, ADF, LRA etc.

Dr Kiyonga concluded by examining the impact of terrorism on the African continent, and the possible interventions in the form of legislation, policy frameworks and regional cooperation. He asserted that more action must be taken.

The CPA Lecture was chaired by Rt Hon. Jacob L’Okori Oulanyah, MP, Deputy Speaker of the Parliament of Uganda and the discussion leaders, Kasaijja Phillip Apuuli, Associate Professor at Makerere University in Uganda and Hon. Simon Mulongo, Deputy Head of the Africa Union Mission in Somalia, provided a wide range of policy proposals and interventions that can mitigate the threat of terrorism within Eastern Africa. Participants agreed that Parliaments need to occupy a more central role in counter-terrorism strategy.

Professor Kasaijja agreed with the lecture that there is no universal definition of terrorism. He noted that after the events of September 11, 2001 in the



United States, a resolution on terrorism was reached by the United Nations (Resolution 1373). He mentioned that the factors which augment the occurrence of terrorism include inequalities, unemployment etc.

Technological advancements coupled with weak systems have made it easy to facilitate and find funding for terrorism. He noted that Somalia falls under the category of very high in respect to susceptibility to terrorism. Some of these challenges within the region include:

- Illicit financial flows (\$50 bn USD in 2018) - monies that do not go through the formal banking channels are easy to divert to fund terrorist activities.
- Easing of currency controls which allows for faster financial transactions.
- Refugee flows across the continent.
- Uncontrolled migration.
- International treaties not ratified domestically.

Professor Kasaijja suggested that Parliaments are central in developing counter terrorism legislation. There is need for regularly updating policies and national legislation and Parliaments need to look into the root causes of terrorism – social frustrations, poverty and unemployment. At the same time, intelligence services need to be strengthened but this needs to be done within human rights standards and there is also a need to address the content of social media, which is often used to radicalise the population.

He also suggested that Regional Parliaments and international parliamentary organisations need to do more to promote dialogue and information sharing. He emphasised that the relationship between counterterrorism and human rights is a sensitive issue and so measures must be adopted in line with human rights



standards. It is also vital to track and monitor returning 'foreign fighters' to avoid grooming sleeper cells; for instance, ISIS fighters come from 33 states – the biggest number being from Tunisia (over 2,000 fighters). It is there critical to pursue de-radicalisation of returning 'foreign fighters'.

Hon. Simon Mulongo noted that Somalia is the one of the most dangerous 'hotspots' in respect of terrorism. He emphasized that the Horn of Africa and Great Lakes Region is a hotbed of terrorist activity and that this is linked to its peculiar geo-political setting.

There is therefore a need to address the 'push' factors and origins of terrorism in Eastern Africa. There is a need for proper laws to enforce counterterrorism and the proliferation of small arms exacerbates the threat of terrorism. Several terrorist organisations have many 'sleeper cells' in the region and have built a regional base, drawn from different countries and ethnic groups.

In regard to the role of Parliament in counterterrorism,

he argued that Parliaments are not working in close tandem with the Executive branch of government on matters of security. The Parliamentary Committees overseeing the security sector are not given adequate latitude to carry out a comprehensive oversight mandate. This leaves the Committees with inadequate capacity to monitor national security.

Going forward, there is a need to stop the terrorist organisations from acquiring the technology that they use. There is a need to address the root causes of terrorist activities.

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

The first Commonwealth CPA Lecture for the CPA Africa Region was given by Dr Benjamin Bewa-Nyong Kunbuor, former Minister for Defence, Justice, Interior and Health and Attorney-General of Ghana on the topic of 'Parliaments of CPA countries in the Africa Region: Their Role in Human Rights Thought and Action' in the margins of the 48th CPA Africa Regional Conference hosted by Imo State, Nigeria in October 2017.

Commonwealth CPA Lectures have also taken place in the following CPA Regions: Asia; British Islands and Mediterranean; Caribbean, Americas and the Atlantic; Pacific.



Commonwealth Parliamentarians from CPA Small Branches focus on the unique challenges affecting the smallest Legislatures across the Commonwealth at 37th annual CPA Small Branches Conference in Uganda



With the increased logistical, financial and infrastructure demands facing small jurisdictions in the Commonwealth, Parliamentarians met to examine the unique challenges they face. The 37th Commonwealth Parliamentary Association (CPA) Small Branches Conference was held in Kampala, Uganda with Members of Parliaments and Legislatures from CPA Small Branches attending the conference. The conference discussed strategies to meet the unique developmental needs of the CPA's smallest Legislatures through key thematic seminars and development activities that will build parliamentary capacity for CPA Small Branches and create greater opportunities for the sharing of knowledge, parliamentary strengthening and cooperation across the network.

The CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP, Speaker of the House of Representatives of the Parliament of Malta said at the opening of the Small Branches Conference: *"The CPA Small Branches Conference will help to build capacities for the small Parliaments and Legislatures of the Commonwealth and create greater and more constant opportunities for the sharing of knowledge and cooperation across the CPA network. The CPA Small Branches need to come together to address their common difficulties, common strengths and their shared experiences."*

During his three-year term as the CPA Small Branches Chairperson, Hon. Angelo Farrugia has highlighted the importance of tackling climate change for the 53 Commonwealth countries, especially its 31 small and developing states which are often the least polluting but the first casualties of climate change and delegates had the opportunity to discuss a newly developed CPA handbook on climate change during the CPA Small Branches Conference.

The Chairperson of the CPA International Executive Committee, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon said: *"The CPA works with the Small Branches in all the regions and we extend full cooperation in strengthening parliamentary democracy. The CPA's priorities include supporting all of our Small Branches in meeting their challenges. The smallest of the CPA's Legislatures seek to meet the same expectations*

of service delivery as larger Legislatures and in doing so, they recognise the importance of constantly innovating in the face of fiscal and human resource constraints; and the threats in the face of climate change to some of the Commonwealth's most vulnerable."

The CPA Chairperson also thanked the CPA Small Branches Chairperson, Hon. Angelo Farrugia for his three-year term and important work in highlighting the unique challenges facing small Legislatures and congratulated the newly elected Chairperson of the CPA Small Branches Designate, Hon. Niki Rattle, Speaker of the Parliament of the Cook Islands upon her election by the delegates to the CPA Small Branches Conference.

The CPA Small Branches Conference included four plenary sessions exploring key themes proposed by the Membership. In the margins of the conference, the initial cohort of the CPA Small Branches Steering Committee met for the first time, following the decision of the CPA Executive Committee at their Mid-Year Meeting in Mauritius 2018 for the formation of this new committee. The CPA Small Branches Steering Committee comprises the CPA Small Branches Chairperson and seven Commonwealth Parliamentarians who represent the seven Regions of the CPA with Small Branches: Africa; Australia; British Isles and the Mediterranean; Canada; Caribbean, Americas and the Atlantic; Pacific; and South-East Asia.

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

The 37th CPA Small Branches Conference took place as part of the wider 64th CPC in Kampala, Uganda.



37th CPA Small Branches Conference 23 to 24 September 2019

CPA Small Branches opening ceremony - 23 September 2019

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

The CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP, Speaker of the House of Representatives of the Parliament of Malta gave the opening address at the 37th CPA Small Branches Conference.

I would like to welcome delegates to the 37th Small Branches Conference in the history of the CPA, here in Kampala, Uganda. Firstly, I would like to congratulate our generous hosts for the set up of this conference and the 64th Commonwealth Parliamentary Conference in the days to come.

It is a bittersweet feeling as this is my last Conference as Small Branches Chairperson, however, needless to say that I am immensely proud that through hard work with Members, the CPA Headquarters, and our tireless commitment has led to the development of the Strategic Plan for CPA Small Branches and the first CPA Small Branches Steering Committee, which is present and complete today, has been constituted.

In addition, the first meeting of the CPA Small Branches Steering Committee has been a particularly productive one with several key targets established.

We, the CPA Small Branches, met in Nairobi, Kenya last year to discuss how we can tackle the global challenge of climate change, being those states most affected by it and yet small in comparison to the big polluters causing the problem. We came to the conclusion that CPA Small Branches need to step up and be united more strongly to lobby the bigger States. We also, however,

have come to the conclusion that CPA Small Branches are perfectly placed to trial new technologies which can later be upscaled and used on bigger players. In Malta, for example, has earmarked Gozo to be used as a pilot project for switching to 100% electric vehicles.

To that end, one of the sessions of this Conference will be dedicated to asking you, the representative of the CPA Small Branches, what your representatives have done to mitigate the challenge of climate change, so your peers as well as the larger states can learn from your expertise and experiences and we can spread good practice for the benefit of the global community.

May I encourage you to give your very best to this issue of climate change - in the words of former UN Secretary-General Ban Ki-Moon, "we do not have a planet B." Therefore, there is no option B when it comes to succeeding in this endeavour.

Additionally, other thought-provoking topics will feature at this conference such as the cultural adaptation to the Westminster model in CPA Small Branches, the issue of 'Brexit' for CPA Small Branches, and the importance of training and professional

development opportunities for Parliamentarians from CPA Small Branches will all be discussed by highly reputable external experts and from delegates from our CPA Small Branches family.

In addition, we have just had the first Small Branches Steering Committee meeting in the history of the CPA, which, as you will agree with me, is a terrific milestone.

Lastly, it pains me to leave the position as the first Chairperson of the CPA Small Branches network. Nevertheless, I know that both colleagues who are running for election will make

outstanding Chairpersons and successors and I look forward to seeing my legacy carried forward and to see them achieve and reach out further to develop the capacity and influence of the CPA Small Branches network on an even greater scale. I will always be proud to have initiated this work and look forward to watching the network grow in capacity and importance.

I would like to augur a fruitful Conference, which I am sure will leave an indelible mark on our work, despite the limited resources we have. Now, let's get to work!





Newly elected CPA Small Branches Chairperson speaks of the pressing need of small Legislatures within the Commonwealth to come together to address common difficulties and strengths and share experiences of their Parliaments

The newly elected Chairperson of the CPA Small Branches, Hon. Niki Rattle, Speaker of the Parliament of the Cook Islands has pledged that the Commonwealth Parliamentary Association (CPA) would have a strengthened and renewed focus on assisting Small Branches and their Parliaments and Legislatures.

The Members of the CPA attending the 37th CPA Small Branches Conference elected the Speaker of the Cook Islands as the new Chairperson of Small Branches for a three-year term. The role of Chairperson of Small Branches is an Officer role within the CPA's governance structure and the new incumbent will sit on the CPA International Executive Committee to bring a voice for Small Branches to the governing body of the CPA.

In her acceptance remarks, Hon. Niki Rattle expressed her gratitude to the Members of the CPA Small Branches, who have shown great trust in electing her as their Chairperson. She spoke about the pressing need of small Legislatures within the Commonwealth to come together, within their 'smallness' to address common difficulties and strengths and share experiences of their Parliaments or Legislative Assemblies. As small states in the Commonwealth, among other small countries, the CPA Small Branches have learnt to appreciate their strengths while being flexible enough to be able to work with other larger Parliaments and to be influential.

Hon. Niki Rattle was appointed as the Cook Islands' Speaker and CPA Cook Islands Branch President in 2012; being reappointed in 2014 and 2018. She is an extremely active Parliamentarian and former CPA Executive Committee Representative for the CPA Pacific Region. A registered nurse, she was the first Pacific Chairperson of the International Conference of the Red Cross and Red Crescent and she is highly regarded internationally for her skills of conciliation, strategic leadership and advocacy.

She was an eminent member of the International Federation Election Committee, and she is known for her contribution to rules of procedures and ethics. Confronted with complex procedural issues, she pushed for enhanced legislative and financial scrutiny and development of the Parliament. She is an advocate for economic, social, and political empowerment in Small Island and Developing States (SIDS) and is committed to fostering strong, connected Legislatures. She is passionate about community, prevention of violence, women's leadership, health and disaster-risk reduction.



The outgoing CPA Small Branches Chairperson is Hon. Angelo Farrugia, MP, Speaker of the House of Representatives of the Parliament of Malta who has held the office from 2016 until 2019. Hon. Angelo Farrugia has worked tirelessly in promoting the CPA Small Branches within the wider CPA network and establishing a CPA Small Branches strategic plan which has given increased focus to the work of the CPA in areas such as climate change which severely impacts on the smallest jurisdictions in the Commonwealth.

Under CPA election rules only delegates from CPA Small Branches to the 64th Commonwealth Parliamentary Conference could take part in the vote to elect a new CPA Small Branches Chairperson. There were two candidates for the position of CPA Small Branches Chairperson: Hon. Niki Rattle, Speaker of the Cook Islands Parliament; and Hon. Juan Watterson, SHK, Speaker of the House of Keys at the Parliament of the Isle of Man (Tynwald). The election of the new Chairperson of Small Branches took place at the 37th CPA Small Branches Conference held in Kampala, Uganda as part of the 64th Commonwealth Parliamentary Conference.

Of the over 180 Branches of the CPA, forty-three Branches are classified as 'Small Branches' which are defined as jurisdictions having a population below 500,000 people. The CPA Headquarters Secretariat works closely with Small Branches in all Regions of the CPA to identify their unique needs and requirements in parliamentary strengthening, development and cooperation.

To read the **64th CPC Conference Concluding Statement** please visit www.cpahq.org/cpahq/cpc2019concludingstatement.



37th CPA Small Branches Conference 23 to 24 September 2019

CPA Small Branches Session 1 - 23 September 2019

HOW DO COMMONWEALTH COUNTRIES (AND CPA SMALL BRANCHES IN PARTICULAR), THAT ALL OSTENSIBLY BASE THEIR PARLIAMENTARY PROCEDURES AND PRACTICES ON THE WESTMINSTER MODEL, IMPLEMENT CULTURALLY APPROPRIATE MEASURES INCLUDING INSTITUTIONAL DESIGN?

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

Discussion Leaders:

- Hon. Gervais Henrie, MP (Seychelles)
- Professor Frederick Stapenhurst, McGill University, Canada

Rapporteurs: Ms Olive Eyotaru and Mr William Lubowa (Parliament of Uganda)

This session focused on discussions around how Commonwealth countries, including small state jurisdictions that base their parliamentary procedures and practices on the Westminster model, implement culturally appropriate measures including institutional design.

It was highlighted that whereas the Westminster Model has demonstrated its success as a form of government through its widespread presence across the Commonwealth, in many cases, the process of adaptation has struggled and, in some instances, the process itself has been part of the problem.

Professor Frederick Stapenhurst (McGill University, Canada) started the discussion by sharing the experience

in Nunavut, one of Canada's Northern Territories, which has synchronised the Westminster model and its cultural situation. With extreme weather conditions, inaccessible by road, despite the abundant resources available, this territory has no political parties. The challenge was to have procedures and institutions that reflect on its aboriginal society. Governance is by consensus through the caucuses of the whole house and non-Cabinet Ministers, hence the adaptation and adoption to procedures that deviate from the Westminster model. While they adopted the Westminster model, they wanted to also reflect their traditional values.

In order to keep a semblance of both systems, they have

adapted the Westminster system to their Territorial Government by having no political parties and Members are elected as Independents. Under this arrangement, the Prime Minister and Ministers are elected by the Members of the Assembly. The Assembly can also have them fired. This depicts a blend of their traditional values and the Westminster model. It shows how the adaptation of what was originally the Westminster System can fit quite different sets of circumstances.

Professor Stapenhurst cited Denmark which had the first Public Accounts Committee. It is an extra Parliament Pre-Committee comprised of Members of Parliament and citizens. It was established to bring in outside expertise that was not within Parliament yet was needed to analyse public accounts. He emphasised the need to initiate dialogue across the Commonwealth, particularly within small states, on some of these policy issues.

Hon. Gervais Henrie, MP (Seychelles) noted that most former colonies of the United Kingdom across the world have adapted the Westminster System. These countries negotiated to





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bring the harmony of their own historical reality to the new country that they were going to form, through using the Westminster System as a platform or model to set up their assemblies and build on it. He cited his own country, Seychelles, which initially adopted the Westminster System, where the Prime Minister is the Head of Government. It later adopted the system of the President as the Head of State because there were divisions on the Island. In order to bring harmony and stability in the country, people were allowed to directly elect their President, as opposed to the Westminster Model that fronts the Prime Minister as Head of Government. He recommended that countries should look at their own realities and build systems that fit into their own democracies.

Delegates were told that if states are to consider the Westminster System and its success, they should focus beyond Parliament and look at how other institutions like the judiciary, army and public service work. He emphasised the need to look at this as a system of governance beyond Parliament but also other structures that support the running of a country altogether.

He also spoke about climate change and sustainable development. Delegates were told that climate change is not just science but a political decision. Consequently, countries

should not simply rely on what is reported in the media but educate themselves to understand the impact and reality of climate change, especially in small countries, to be able to make better informed decisions.

Hon. Kenneth Bryan, MP (Cayman Islands) questioned the composition of the Public Accounts Committee in Denmark, noting that while it makes sense to co-opt private sector individuals, there might be potential for conflict in instances where non-legislators overrule elected Members' decisions.

On the issue of addressing global warming, he observed that the majority of the issues that have accelerated climate change are as a result of financial influence. He noted that usually many of the people who fund politicians and parties are the same ones who dump plastics that show up on the shores of water bodies but are not reprimanded by lawmakers. He asked how this can be resolved.

Hon. Gervais Henrie, MP (Seychelles) responded that it is all about money and profits. He emphasised the need to humanise climate change as the future and if it is not prioritised and nothing is done, money will not save us.

Hon. Barry Elsby, MLA (Falklands Islands), while giving the example of Denmark's Public Accounts Committee, noted the difficulty of having few elected Members. He gave an example

from the Falkland Islands where some of the Statutory Committees have more lay Members than Legislators, so it is possible for them to overrule the elected Members. He observed that small states have over the years worked out ways through which they can adapt the Westminster Model style effectively to suit their own circumstances.

Hon. Dr Alex Allinson, MHK (Isle of Man) asked about the issue of affirmative action through having quotas that endeavour to include gender, cultural and disability groups in Government and Parliament in particular. His concern was to the effect that the Westminster model does not provide for special interest groups, particularly in terms of small nations which may be divided along ethnic lines. He wondered how this could be incorporated. For instance, can Parliaments find ways of adopting affirmative action to get people to be represented in Parliament?

Professor Frederick Stapenhurst (McGill University, Canada) responded that affirmative action across the board must be welcomed. Uganda and other African countries have embraced affirmative action through representation of groups in Parliament. He lauded Uganda for being the first country to reserve seats for Persons with Disabilities.

Hon. Gervais Henrie, MP (Seychelles) responded that the allocation of seats to various

genuinely from them, how can we accomplish the target that we want? He noted that this was an ongoing conversation.

Hon. Kim Herbert Swan, MP (Bermuda) noted that in the Westminster System, there are Labour Unions and Chambers of Commerce which represent interest groups. As we look at CPA Small Branches, we need to take into account the fact that there are number of people who are directly impacted by income inequality and are dependent on their voting bloc to communicate their voice. If we leave it to persons who will be happy say not to have political parties, they will have no representation. Even with their voting bloc, they still have to fight against the system which is heavily stacked against them.

The Westminster model is premised on parliamentary sovereignty, an Executive answerable to the people through Parliament, Cabinet decisions taken and implemented by a neutral civil service and accountability to the Cabinet. However, an apolitical public service in a jurisdiction of less than 500,000 people is untenable as ethnicity and dormant tribes potentially influence society, hence creating the difference. CPA Small Branches ought to examine their own realities and build systems based on their uniqueness.

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

- Each Parliament should take advantage of Westminster flexible procedures to apply changes that actually work in modern times, suiting cultural and historical realities.
- CPA Small Branches shall develop legislatures that fit their contexts and look to the experience of other CPA Small Branches for examples of good practice.

minority groups is something that is being championed in different countries. In Southern Africa, through the Southern African Development Community (SADC), countries are being encouraged to do so. However, even if we would like to increase the number of women in Parliament but if it is not coming





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CPA Small Branches Session 2 - 23 September 2019

INNOVATION IN PARLIAMENT: THE POSSIBLE EFFECTS OF 'BREXIT' ON CPA SMALL BRANCHES

Moderator: Hon. Dr W. McKeeva Bush, OBE, MLA, Speaker of the Legislative Assembly (Cayman Islands)

Discussion Leaders:

- Deputy Kirsten Morel (Jersey)
- Hon. Dr Barry Elsby, MLA (Falkland Islands)
- Hon. David Agius, MP (Malta)

Rapporteurs: Ms Mataka Janet Gladys and Mr Basala Martin (Parliament of Uganda)

This workshop session focused on the possible effects of 'Brexit' on CPA Small Branches. 'Brexit' is not just a matter between the United Kingdom and the European Union but also concerns the CPA Small Branches and perhaps it could extend to larger Parliaments that are former colonies of the United Kingdom.

The degree of uncertainty will depend on whether the European Union Regulatory Framework will still have direct effect on the United Kingdom. There are concerns about 'Brexit' but the uncertainties are of great concern to CPA Small Branches. 'Brexit' possesses two scenarios; either the Overseas Territories align themselves with the United Kingdom in all circumstances or depart from the agenda and programme of the United Kingdom.

Deputy Kirsten Morel (Jersey) started the discussion by putting 'Brexit' into context. He said that the implications of 'Brexit' are uncertain, far reaching and not only of concern to the UK but for CPA Small Branches as well.

Nevertheless, he said that CPA Small Branches can deal with the consequences of 'Brexit' by working together through sharing knowledge and extending networks. Together, CPA Small Branches can get their messages across clearly. Although small states are affected by larger powers, they can be more

effective working together to ensure their voices are heard.

Hon. Dr Barry Elsby, MLA (Falkland Islands) opened his presentation by noting that the Falkland Islands do not question 'Brexit' or the rights of the people of UK to make their own decisions about their future. Instead, the Falkland Islands have to deal with the outcomes of 'Brexit'. For instance, they have to deal with a Westminster Parliament that has been polarised by 'Brexit' with the two main political parties in disagreement. He further said that the status quo has been made more complex by the emergence of a third group of independents in Parliament who have either been expelled by their party or just left. Amidst these political developments, the future is uncertain and the likelihood of another election is high. This could end up in a coalition government which may take a long time to actually decide its agenda in regard to the UK Overseas Territories and Crown Dependencies.

On the impact of 'Brexit', he underscored that the Falkland Islands have been trading tax and quota free with the EU since the early 1980s because they are a UK Overseas Territory. With the 'Brexit' possibility, all this might change eventually affecting major industries and incomes. For instance, 40% of the Falkland

Islands' income comes from fish caught from their waters and 98% of the fish products are exported tax and duty free into the EU, mainly into Northern Spain. He said that the worst-case scenario for a no deal 'Brexit' would mean that the Falkland Islands' fish exports to the UK will probably be subject to 18% tax, which will seriously harm the fish industry. Similarly, the meat industry might be hit by 42% tax in case of a no deal 'Brexit'. This will reduce the meat industry overnight in the Falkland Islands.

Amid these uncertainties, Dr Elsby said that the Falkland Islands has been trying to get their message to the UK Government and this message has been consistent, clear and based on research. He proposed the following ways in which CPA Small Branches can get their voices heard without being drowned out by regional or national ones:

- Know your subject well, get qualified people to produce evidence and papers needed
- Know how to access the people that you need to talk to
- CPA Small Branches should insist they are heard at the highest levels like Select Committees
- Use any organisation you can to amplify your voice, for instance, the United Kingdom Overseas Territories Association (UKOTA) and Joint Ministerial Council (JMC).



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Hon. David Agius, MP (Malta) emphasised the uncertainty brought by 'Brexit'. However, he said that uncertainty has always existed and past generations have put in place various mechanisms to deal with it. Part of these mechanisms are institutions that contribute to stability, especially in times of uncertainty.

He said that undoubtedly, the EU Integration Project has had great economic importance for millions of citizens in the continent and the UK has always been a major player in all this. For instance, the EU single market has managed to deliver peace and prosperity towards Europe. The economic integration has been a steady process that strengthened trade and economic growth based on democracy, human rights and the rule of law. These benefits were realised despite the European Union being characterised by different levels of integration for different countries.

Regarding the impact of 'Brexit' on the EU, Hon. David Agius said that the result of the 'Brexit' referendum in 2016 has led the European Integration Project to a crossroads. He further said that 'Brexit' might in the long run result in the disruption of EU internal equilibrium and hence, Legislatures must recalibrate their

relations with the UK. According to the study by the European Parliament on the effects of the UK withdrawal on EU integration, the withdrawal of the UK is not a short-term process and will influence the EU for a decade or more. He added that regardless of the 'Brexit' outcomes, it is important to have a contingency and preparedness plan in place.

Hon. David Agius also said that 'Brexit' is an opportunity for the remaining EU member states to integrate further. He advised that since 'Brexit' uncertainty has boosted foreign investment into the EU since the referendum, the remaining EU members can take advantage of this development. He argued that although small states like Malta may lose an important ally in the UK following 'Brexit', the Commonwealth countries together, can do much more to expand their trade links with United Kingdom. In addition, the Commonwealth offers an ideal platform for the United Kingdom to advance its trade agenda.

Deputy Lyndon Trott (Guernsey) indicated that a severe recession may follow a hard 'Brexit' eventually resulting in less tax revenues in the UK and that may translate into significantly less resources being directed towards the savings investment schemes. He questioned how this might

impact the panellists' jurisdictions and relationships with the UK?

Hon. Juan Watterson, SHK, Speaker of the House of Keys (Isle of Man) inquired from the panellists what the best 'Brexit' scenario could look like.

Hon. Dr Barry Elsby, MLA (Falkland Islands) responded by saying that the Falkland Island's opinion is that the UK will always be strong. He further said that the Falkland Islands is tied both to UK and to the EU and its role is to make the UK Government fully aware of the likely impacts.

Hon. V. Arden McLean, MLA (Cayman Islands) told delegates that he doesn't think the UK has time to listen to CPA Small Branches. In recent times, there has been no special privileges given to them, and the UK House of Commons thinks that Overseas Territories are dependent on it. He inquired from the panel, that in the event that there is no deal, will the UK see CPA Small Branches as an opportunity?

Hon. David Agius, MP (Malta) responded to the question on whether the UK has time to listen to CPA Small Branches by urging all delegates to think about his proposal. The proposal was to have a Commonwealth Parliament with one or two members from each state. This

Parliament would meet regularly to discuss and decide on pertinent issues, instead of waiting for the annual Commonwealth conference during which issues are not exhaustively addressed.

A member from the Cayman Islands told delegates that there is no doubt 'Brexit' will have an effect on them, regardless of whether it's a hard or soft 'Brexit'. He called upon all delegates to consider that they sit together and develop contingency plans that will help in addressing the post 'Brexit' outcomes.

The three recommendations at the workshop were *endorsed* as follows:

- CPA Small Branches, especially sub-nationals, should effectively participate in decision making to ensure that they have input in policies that will directly affect them.
- CPA Small Branches should extend their networks for sharing information and best practice to better tackle major common challenges such as 'Brexit' and climate change.
- Legislatures must recalibrate their relations with the United Kingdom. Although risks and uncertainties are predominate, the opportunities 'Brexit' will present must not be undermined.





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CPA Small Branches Session 3 - 24 September 2019

WHAT PROFESSIONAL DEVELOPMENT AND TRAINING IS REQUIRED TO DEVELOP FOCUSED AND TALENTED PARLIAMENTARIANS?

Moderator: Hon. Gervais Henrie, MP (Seychelles)

Discussion Leaders:

- Mrs Robyn Lambley, MLA (Northern Territory)
- Hon. Patricia Gordon-Pamplin, MP (Bermuda)
- Professor Frederick Stapenhurst (McGill University, Canada)

Rapporteurs: Frank Mutagubya and Mohammed Rukidi-Mpuga (Parliament of Uganda)

This workshop session examined the different professional development and training models are available to develop focused and talented Parliamentarians.

This session specifically focused on the professional development and training required to build the capacity and efficiency of Parliamentarians from the CPA Small Branches, amongst the Commonwealth jurisdictions. It explored the experiences and approaches used by experts and CPA Small Branches, with the aim to better inform participants of the opportunities and tools they and their Parliaments have in order to strengthen their work.

Capacity building and professional development for Parliamentarians of smaller, newer and reformed Legislatures has received increased attention from Parliaments, agencies and other service providers, after years of little research and support behind the practice.

With this broadening of the practices, significant questions are being asked about what may constitute an effective programme for development for Parliamentarians to improve law making, representation and oversight duties in the 21st century.

Mrs Robyn Lambley, MLA (Northern Territory) noted that there are a number of qualities needed for effective, focused and talented Parliamentarians. She

pointed out honesty, empathy, being sensible, confidence, being a good communicator, energetic, and having leadership abilities. She observed that these can be developed and improved. She pointed out that Parliamentarians come with different life and work experiences, trainings, skills, and prior legislative experiences from smaller assemblies, among other things. She argued that whereas it is easy to define the needs for new Parliamentarians, it is not always easy for those that have been around for a number of years.

Robyn Lambley expressed reservations about in-house training methods for CPA Small Branches, observing that this may not provide a safe environment for training and brings limited exposure. She recommended that Parliamentarians from the CPA Small Branches should be facilitated to travel to different territories or jurisdictions and gain exposure and new ideas. She cited an example of the twinning initiative between the Northern Territory Legislative Assembly with Parliaments in the Pacific Region. She encouraged Parliamentarians from the CPA Small Branches to participate in engagements such as the Commonwealth Parliamentary Association fora because they provide invaluable learning and experiences.

Hon. Patricia Gordon-Pamplin, MP (Bermuda) stressed

the importance of learning for Parliamentarians and the fact that politicians need to have the commitment to learn. She pointed out that the selection criteria of Parliamentarians is central to the democratic process; and that while selecting individual Parliamentarians, it is important to look at their talents and skills and see how to these can be developed further to enhance Parliamentarians' performance.

She observed that newly elected Members who come with a majority should propel their talents to be able to reach out and serve even the minority in their constituencies, territories and countries.

She underscored the importance of integrity for Parliamentarians and pointed out that it should be emphasised in their training. She highlighted some examples of training that could be appropriate for Parliamentarians including the rules of debate and conduct of business; importance of preparation and research and use of materials such as articles from the Commonwealth Parliamentary Association's publications like *The Parliamentarian* and other international associations; attending seminars, mentoring, ethics, honesty and integrity.

She stressed the importance of grooming future politicians through Youth Parliaments programmes like Youth Debates; and allowing young people to



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“Capacity building and professional development for Parliamentarians of smaller, newer and reformed Legislatures has received increased attention from Parliaments, agencies and other service providers, after years of little research and support behind the practice.”

work with and be mentored by political parties.

Professor Frederick Stapenhurst (McGill University, Canada) introduced to participants, a number of training programmes at McGill University, including programmes in partnership with the Commonwealth Parliamentary Association. He announced a newly designed course which was developed as a result of a call for proposals from Commonwealth Parliaments to develop a programme specifically for members of the CPA Small Branches. McGill University also has a programme for staff capacity and professional development which many CPA Small Branches have attended.

He explained that the programme for Commonwealth Parliamentarians combines theory and practice and employs a comparative approach while allowing for national application. It is grounded in current procedures and practice and highlights the good practices and points out the challenges. This programme takes a period of one week of study interaction, while the rest of the study is done online.

Professor Frederick

Stapenhurst revealed that with support from the World Bank, McGill University conducted a study on the role of Parliament in Combating Corruption. The findings from this study were incorporated into the course for new Parliamentarians. This training course is being rolled out to several Commonwealth Parliaments.

The mentoring session saw Parliamentarians and parliamentary staff given the opportunity to meet different experts in the field of parliamentary training. The delegates had the opportunity to hear first-hand from mentors who have experience in professional development programmes and training for Parliamentarians from CPA Small Branches. Mentors addressed the challenges that Parliaments and Parliamentarians from the CPA Small Branches face; and worked with the participants to foster solutions on what the Commonwealth, international organisations, Parliamentarians and Parliaments can do to ensure that Parliamentarians are highly skilled and high performing. The mentors at this workshop session included: Mr Tom Duncan, Clerk

of the Legislative Assembly of the Australian Capital Territory; Mr Roger Phillips, Clerk of the Parliament of the Isle of Man (Tynwald); Ms Racheal Emaasit from the Institute of Parliamentary Studies in Uganda; Md. Asmaiza Ahmad, MLA (Perlis).

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

- That Parliamentarians from CPA Small Branches are actively encouraged to seek professional development and training outside their jurisdictions in order to broaden their knowledge and understanding.
- CPA Small Branch capacity can be built by giving MPs the knowledge and skills required. Branches should encourage MPs to attend the CPA-McGill University Professional Development Programme.
- Parliaments shall encourage political parties to employ candidate selections that include talented, substantive prospects, embracing the importance of gender balance, and encouraging sensitivity and diversity.

CPA Small Branches Steering Committee meet for the first time at CPA conference in Uganda

In the margins of the conference, the first meeting of the CPA Small Branches Steering Committee took place. The CPA Small Branches Steering Committee comprises the CPA Small Branches Chairperson and seven Commonwealth Parliamentarians who represent the seven Regions of the CPA with Small Branches: Africa; Australia; British Isles and the Mediterranean; Canada; Caribbean, Americas and the Atlantic; Pacific; and South-East Asia.



64th Commonwealth Parliamentary Conference: CPA Flickr Images Albums: For images of the 64th Commonwealth Parliamentary Conference please visit: www.cpahq.org/cpahq/flickr.



37th CPA Small Branches Conference 23 to 24 September 2019

CPA Small Branches Session 4 - 24 September 2019

CLIMATE CHANGE AND THE POSSIBLE EFFECTS ON CPA SMALL BRANCH ECONOMIES AND DEVELOPMENT

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

Discussion Leaders:

- Hon. Melvin Turnbull, MHA (British Virgin Islands)
- Hon. Alex Muscat, MP (Malta)
- Mr Robert Ondhowe, UNEP Consultant (Former Legal Officer, UNEP)

Rapporteurs: Mr Herbert Ngabirano and Ms Ophelia Nahabwe (Parliament of Uganda)

This workshop was premised on climate change and its possible effects on the CPA Small Branches' economies and development. The discussion centered on how climate change action can be integrated into progress towards achievement of the SDGs; what initiatives CPA Small Branches have made in mitigating and adapting to climate change; how governments, Parliaments and civil society in CPA Small Branches can work together to influence the global climate change agenda.

The Chairperson of the CPA Small Branches, Hon. Angelo Farrugia, MP, Speaker of Parliament (Malta) noted that the CPA Small Branches and small island developing states (SIDS) are affected the most by the effects of climate change. He added that small island economies face huge challenges of climate change due to a higher degree of exposure to the vagaries of nature. This includes, but not limited to, sea level rises, storms and continued increases in air and ocean surface temperatures.

As such, the economies of small island developing states face a tougher and an almost impossible challenge of meeting the Sustainable Development Goals (SDGs) and their targets. The CPA Small Branches Chairperson further noted that the debate on climate change has

been ongoing for a long time, but no decisive and lasting solutions seem to have been reached. He expressed concern at the absence of Brazil, the USA and Saudi Arabia at the recent UN Climate Change Summit that took place from 21-23 September 2019.

The CPA Small Branches Chairperson, however, indicated that he was indeed gratified by the UN Secretary-General, António Guterres's positive attitude and statement on the issue of climate change when he said: *"I am hopeful that time is running out but not too late."*

Hon. Alex Muscat, MP (Malta) emphasised the importance of regular meetings to forge ways of solving climate change challenges collectively. He also reminded the meeting that the CPA Small Branches launched a strategic plan, premised on the purpose of mitigating the challenge of climate change. He also noted that climate change is a universal challenge that does not discriminate.

Climate change is important to small island states because of a number of factors liking rising tides and high temperatures that lead to fatalities and other disasters. And so, small island states must ensure the implementation of the Kyoto Protocol and the 2015 Paris Agreement. Parliaments should hold governments accountable and ensure that relevant policies

and legislation are put in place.

States within the Commonwealth must commit and adhere to the *Commonwealth Blue Charter*, which is an agreement by all 53 Commonwealth countries to actively co-operate to solve ocean-related problems and meet commitments for sustainable ocean development.

Hon. Alex Muscat, MP also reiterated that small island developing states are crippled by the adverse effects of climate change and this affects their development. He, however, noted that the UN Convention on Climate Change is a good instrument that can be a stepping-stone for mitigation against climate change effects. He further indicated that small island states are the most affected as the majority of the population live near water bodies.

He explained the interventions that have been adopted in Europe to mitigate climate change effects especially to regulate greenhouse emissions. He highlighted strict observation of international agreements on climate change, including the Montreal Convention.

He further emphasised that small island states should borrow a leaf from the interventions adopted in Europe. He used the example of Malta to explain some of the interventions that other small island states could learn from. He revealed climate statistics that



ADAPTION, ENGAGEMENT, AND EVOLUTION OF PARLIAMENTS IN A RAPIDLY CHANGING COMMONWEALTH



show how Malta is progressing in mitigating the effects of climate change. A new era for use of natural gas has, for instance, been adopted and as a result, cleaner technologies have emerged.

Hon. Alex Muscat, MP also explained the negative effects of climate change on tourism, food security and subsistence agriculture. He listed a range of effects of climate change specifically those that impact on low-lying islands. These result into a number of consequences that are suffered by the population of island states.

He also enumerated a number of effects of climate change on the economies of small island nations in the sectors of insurance, traditional structures and subsistence farming. Climate change has also eroded cultural and historical sites in the Pacific islands.

He concluded by emphasising that the 64th CPC workshop on climate change is an opportunity for the CPA Small Branches to come up with interventions to mitigate the effects of climate change.

Mr Robert Ondhowe (UNEP Consultant) started his presentation by congratulating the CPA upon partnering with UNEP in climate change mitigation for a number of years. He was delighted that UNEP's

relationship with CPA had greatly improved over the six years.

He took the delegates through the web-based toolkit that UNEP and other UN bodies had designed for climate change adaptation initiatives in order to achieve the SDGs. Among others, this included the UN Environmental Legal Response initiative, where a pool of lawyers and technical experts were available online to respond to questions related to climate change and related topical issues.

He also noted that UNEP was engaging financial institutions to seek a coalition with an intention of aligning legislation to feed into climate action. He cautioned that traditional models of financing do not work. Rather, Committees of budget allocation would yield better results.

Developing technology-based tools is a more relevant approach than using traditional means of addressing climate change. Parliamentarians need to scale up their legislative, oversight, budgeting and representative roles. These roles should be related to climate change and should also work towards addressing the energy and gender challenge. By ratifying international frameworks, Parliaments will have partly met

their commitment to climate change mitigation and adaptation.

Hon. Melvin Turnbull, MHA (British Virgin Islands) reminded the workshop of the theme that was coined in October 2018 by the CPA Small Branches: *"Live with the end in mind."* Parliamentarians must foster a dialogue to build resilience to the effects of climate change that affect the economies of their states.

He narrated the catastrophic events of Hurricanes Irma and Maria that put very many lives in danger in the CPA Caribbean, Americas and Atlantic Region, including himself. These hurricanes left the British Virgin Islands in a state of uncertainty. On 26 August 2019, another hurricane hit the British Virgin Islands.

The devastation caused by hurricanes massively affected the small island states in the Commonwealth so much that it is no wonder that The Bahamas was unable to send any delegates to the 64th CPC.

Hon. Melvin Turnbull, MHA also decried that small island states are suffering as a result of selfish actions of the big nations. He focused his argument on the economies and Gross Domestic Product (GDP) of the territories *vis-à-vis* the impact caused by the devastating effects of

climate change. He emphasised that it is important for Members of Parliament from small island states to join hands and collectively find lasting solutions.

He also reiterated the effects of long-term climate change disasters. Hurricanes Irma and Maria were the most devastating natural disasters that have affected the British Virgin Islands and have cost the nation one billion US Dollars. Moreover, they were closely followed by other hurricanes. As such, the main productive sectors like tourism were severely affected.

Hon. Melvin Turnbull, MHA listed a number of types of damage caused the hurricanes and their lasting negative impact on the economy. Hotel, retail, transportation and construction were some of the most affected sub-sectors. He noted that going forward, it was critically vital to foster dialogue amongst small island states to adapt to and be better prepared for the effects of climate change. He also shared some of the interventions undertaken by the British Virgin Islands in the House of Assembly in relation to addressing the challenges associated with climate change. These include setting up a fund specifically for hurricanes. He indicated that in the course of the remainder of the workshop session and throughout the conference, he hoped to learn about the interventions in other states.

The workshop was opened to further discussions from delegates. **Hon. Kenneth Bryan, MP** (Cayman Islands) regretted that small states are greatly influenced by big economies like the USA, who are not bothered about their contribution to global warming. He asked how the climate change toolkit can be used to put proper legislation and policies in place to mitigate issues of over-flooding, as experienced in the Cayman Islands.

The CPA Small Branches



Chairperson reiterated the need for a concerted effort by the small island nations to confront the challenges of climate change. He also hinted on the critical importance of climate change financing.

Hon. Michael Perkins, MP Speaker of the National Assembly (St Kitts and Nevis) suggested that governments should invest in sensitising their population to build structures that have strong rooms with concrete walls and roofs, which can withstand weather patterns. Every home should have a home on a high altitude to withstand flooding and 200 kms per hour strong winds.

Hon. Kim Swan, MP (Bermuda) noted that there have been a number of hurricanes around the Caribbean Region, in

particular affecting Puerto Rico. He wondered whether scientists are certain about whether there is a connection between hurricanes and earthquakes. Are the two inter-related?

Deputy Kirsten Morel (Jersey) noted that it is true that British Virgin Islands feels the effects of climate change. He asked whether voices of non-sovereign states are heard.

Mr Roger Phillips, Clerk (Isle of Man) asked whether in British Virgin Islands, the population is building the right houses and the right power stations to withstand the heavy winds. He noted that it is important for small states to show the big nations that they are serious about the issues of climate change.

Hon. Melvin Turnbull, MHA revealed that, in the wake of Hurricanes Irma and Maria, the British Virgin Islands had received unprecedented support from the United Kingdom, Puerto Rico and the wider Caribbean Region. In the aftermath of these disasters, the British Virgin Islands embarked on forging stronger relations for future purposes. On the issue of rebuilding - in 2018, a long debate was held in the House of Assembly on the way forward.

Some of the interventions in the British Virgin Islands included the *Disaster Management Act, 2018* and building stronger and better structures.

He also emphasised that it is important to continue to forge partnerships, putting in place relevant legislation and targeting the coastal ways with stronger structures.

Mr Robert Ondhowe noted that the climate change issue is a tight-rope and sensitive subject. However, scientific evidence on climate change exists and the World Metrological Centre provides the scientific research together with the IPCC. It is noteworthy to say that the evidence of climate change is overwhelming.

He also noted that it is true that small island nations are most affected by the decisions of the bigger states and yet, they have limited latitude when it comes to seeking decision-making and redress. He also noted that it is important for small island states to utilize *Article 6 of the Paris Agreement* which relates to co-operative arrangements.

Mr Ondhowe cited the example of the Netherlands that forged ways of managing

water overflows and flooding. He also emphasised that under the Paris Agreement, big nations responsible for large emissions should be made to compensate and help in the rebuilding of the devastated small island states. He noted that lack of political will on the part of some world leaders complicates the fight against climate change challenges.

At the end of the workshop discussions, the following recommendations were endorsed:

- Parliament must foster dialogue which leads to mechanisms for building resilience of Small Island States adapting to climate change, which adversely affect our GDP.
- Parliamentarians have a critical role in raising awareness to climate change, while developing appropriate policy and legislation to protect the environment and human rights.
- Parliaments should participate in initiatives and programmes by United Nations bodies that facilitate mitigation and adaption policies, climate finance and technology in Small Island States.

“Developing technology-based tools is a more relevant approach than using traditional means of addressing climate change. Parliamentarians need to scale up their legislative, oversight, budgeting and representative roles. These roles should be related to climate change and should also work towards addressing the energy and gender challenge.”





Commonwealth Women Parliamentarians discuss new ways to increase women's representation in Parliament at CWP triennial conference in Uganda and mark 30th anniversary of the network



Women Parliamentarians from across the Commonwealth gathered in Kampala, Uganda for the triennial conference of the Commonwealth Women Parliamentarians (CWP), held ahead of the wider 64th Commonwealth Parliamentary Conference. The theme of the sixth Commonwealth Women Parliamentarians (CWP) Conference was 'CWP at 30 years: Achievements and Unfinished Business – Looking forward to the next 30 years' in recognition of the CWP's 30th anniversary in 2019.

The CWP Conference was opened by the outgoing Chairperson of the Commonwealth Women Parliamentarians, Hon. Dr Dato' Noraini Ahmad, MP (Malaysia) who has held the office since her election in 2016 and said: *"In 2019, the Commonwealth Women Parliamentarians (CWP) marks its 30th anniversary and can reflect on the many successes of the past three decades. The CWP envisions a world where women and men have equal access to opportunities – a world where women's voices are recognised and respected. I urge all Parliamentarians, with the support of the CWP network, to pursue this vision with continued dynamism and enthusiasm. Together we can and will build the future we want, working towards a future of equal rights, equal opportunities and progress for all."*

Over 100 Commonwealth Women Parliamentarians attended the conference from across the Commonwealth. The CWP conference saw leading figures in Commonwealth Parliaments addressing the conference and included four wide-ranging sessions for Commonwealth Women Parliamentarians.

The CPA President, Rt Hon. Rebecca Kadaga, MP, Speaker of the Parliament of Uganda congratulated Hon. Dr Dato' Noraini Ahmad, MP on her leadership, her dedicated and committed work that has brought about positive results for the CWP. The CPA President went on to state that gender equality must be factored into all government policies in each respective jurisdiction and it is important that

women take their place in Parliament to ensure that this may come about.

The CPA Chairperson, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon also addressed the CWP Conference and said: *"Women must look to assume leadership roles within their respective Parliaments. The topic of the sixth triennial CWP conference allows us to reflect on the successes of the last 30 years and to look ahead to the role of women in Parliaments for the future."*

The CWP President (2018-2019), Hon. Syda Namirembe Bumba, MP (Uganda) spoke to the CWP conference about her experience as a legislator in the Parliament of Uganda. The CWP

Conference also heard from CWP Alumni Champion, Dr Lesley Clark, a former Member of Parliament of Queensland about the CWP's mentoring initiative and her work with women across the Commonwealth; Hon. Lechesa Tsenoli, Deputy Speaker of the National Assembly in South Africa spoke about male champions of gender equality and the work that male Members of Parliament can do to achieve equality; and UK MP, Dr Roberta Blackman-Woods, MP spoke about gender mentoring programmes at the UK Parliament and shared best practice of combating bullying and harassment in Parliaments.

In recognition of the 30th anniversary of the Commonwealth Women Parliamentarians (CWP) in 2019, a panel discussion was held with the current and previous CWP Chairpersons - Hon. Dr Dato' Noraini Ahmad, MP (Malaysia 2106-2019); Rt Hon. Rebecca Kadaga, MP, Speaker of Parliament (Uganda 2013-2016); Hon. Alix Boyd Knights, MHA, Speaker of the House of Assembly (Dominica 2010-2013); Ms Kashmala Tariq (Pakistan 2007-2010) and Hon. Lindiwe Maseko (South Africa 2004-2007).

Ahead of the CWP Conference, the current CWP Chairperson and CWP Steering Committee met in Uganda representing the nine CPA Regions: Africa; Asia; Australia; British Isles and the Mediterranean; Canada; Caribbean, Americas and the Atlantic; India; Pacific; and South-East Asia.

The Commonwealth Women Parliamentarians (CWP) is the network of women Members of the Commonwealth Parliamentary Association's Parliament and Legislatures. The CWP network 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.



Sixth triennial Commonwealth Women Parliamentarians (CWP) Conference 23 to 24 September 2019

CWP Conference opening ceremony - 23 September 2019

OUTGOING CWP CHAIRPERSON REFLECTS ON 30 YEARS OF CWP ACHIEVEMENTS AND LOOKS TO THE FUTURE

The Commonwealth Women Parliamentarians (CWP) Chairperson, Hon. Dr Dato' Noraini Ahmad, MP (Malaysia) spoke at the sixth triennial CWP Conference.

In my position as Chairperson of the Commonwealth Women Parliamentarians network, it gives me great pleasure to welcome you all to the opening of the 6th triennial Commonwealth Women Parliamentarians Conference, taking place in the margins of this 64th Commonwealth Parliamentary Conference.

I wish to extend my many thanks first to our gracious host, Rt Hon. Rebecca Kadaga, Speaker of the Parliament of Uganda, and to the organisation and dedication that the Parliament of Uganda has committed to ensuring the success of this Conference, and the hospitality that has been shown to us all since our arrival here, has been truly inspiring.

I am certain that this commitment will not go unrewarded and I look forward to a very successful and productive Conference.

My thanks also to the Munyonyo Commonwealth Resort for providing such beautiful and comfortable surroundings within we can hold our workshops and discussions.

Finally, and most importantly, my thanks to all of you for being here and for representing the great family of the Commonwealth.

Whether you are with us here today as a delegate, as an observer, or as an invited guest, I encourage you to take this opportunity to actively engage in the discussions, which will be taking place on a variety of

important and contemporary issues. These include:

- The importance of mentoring for new Parliamentarians;
- Promoting women to senior portfolios and positions of leadership;
- Empowering women as effective legislators in the 21st century; and,
- Combatting bullying and harassment in Parliaments.

My sincere thanks in advance to all Members and external experts who have very kindly agreed to take part in these discussions as discussion leaders and, with the exceptional level of experience and expertise in this room, I believe that we can all learn something from the sessions scheduled to take place over the next two days.

Furthermore, these discussions should not end at the conclusion of the respective session and I do recommend taking every opportunity to speak with your fellow delegates during the scheduled breaks and during the wider Conference activities.

The Commonwealth Parliamentary Association is a body which takes great pride in providing Parliamentarians, from all corners of the Commonwealth, with peer-to-peer learning and upskilling opportunities, and the programme of the 6th triennial CWP Conference directly speaks to these aims.

This philosophy is one which I have witnessed and observed during my three-year term as CWP Chairperson. Whilst a key strength

and benefit of the Commonwealth family is its diversity of experience and perspective, there is much more that we can agree on than we can find disagreement in.

Shortly following my election in 2016, I convened a meeting of the CWP Steering Committee, together with other women Parliamentarians from across the Commonwealth, where we formulated a Strategic Plan for the network, which would guide our activities for the next three years. Discussions during this meeting were energetic, engaged and dynamic, but they were never acrimonious or bitter. When women work with other women everybody benefits and real progress is made.

In the time since my election, I have had the privilege of witnessing many more instances of the power of collaboration - from the presence of CWP at last year's Commonwealth Women's Forum during the 2018 Commonwealth Heads of Government Meeting in London to the launch of the CWP Alumni Initiative's pilot scheme.

I do, however, note that my own three-year term represents only one chapter in the long history of the CWP network. At this Conference we have the unique chance to commemorate

the 30th anniversary of the founding of CWP.

In recognition of this landmark year, I am very pleased to note that the former CWP Chairpersons have very kindly agreed to join us for a panel discussion during the CWP Business Meeting, following the conclusion of the CWP triennial Conference.

My sincerest thanks, of course, go to all former CWP Chairpersons for their longstanding commitment to the CWP network and for contributing the knowledge and experience gained through their distinguished careers. Notably, during the CWP Business Meeting, there will also be the election for a new Chairperson of CWP.

It has been an honour and a privilege to take the role and responsibilities of CWP Chairperson for the past three years, I look forward to continuing to work within the network under the leadership of a new Chair.

I wish all delegates a very successful and enjoyable CWP Conference and I look forward to meeting and speaking with as many of you as possible.





Newly elected Commonwealth Women Parliamentarians Chairperson pledges to increase women's representation and political participation in Parliaments

The newly elected Chairperson of the Commonwealth Women Parliamentarians (CWP), Hon. Shandana Gulzar Khan, MNA of the National Assembly of Pakistan has pledged to renew the effort to increase women's representation and political participation in Parliaments across the Commonwealth. The new Chairperson of the Commonwealth Women Parliamentarians was elected for a three-year term at the CWP Business Meeting held at the sixth triennial conference of the Commonwealth Women Parliamentarians (CWP), that took place in Kampala, Uganda as part of the wider 64th Commonwealth Parliamentary Conference.

Hon. Shandana Gulzar Khan, MNA is a Member of National Assembly of Pakistan and Parliamentary Secretary at the Ministry of Commerce and Industry. A qualified legal professional with extensive knowledge and experience in international trade and economic law advocacy and an articulate communicator, fluent in three languages, she was elected to the National Assembly in August 2018. As an activist, she has worked on economic rehabilitation of abandoned post-incarceration females and providing opportunities for their families; developing training and legislation for female lawyers; as well as advising NGOs to better understand societal problems. She has authored various articles on a number of issues, including the creation of Pakistan's first IP strategic framework, the industrial policy vacuum and has conducted many training seminars on various aspects of international trade policy and development.

The outgoing Chairperson of the Commonwealth Women Parliamentarians is Hon. Dr Dato' Noraini Ahmad, MP (Malaysia) who has held the office since her election in 2016. Hon. Dr Dato' Noraini Ahmad has worked tirelessly in promoting inter-regional cooperation among members of the CWP and launched a new CWP strategic plan, which has led to many new activities, geared towards the strengthening of Women Parliamentarians and increasing women's representation across the CPA's nine regions.

The newly elected Chairperson of the Commonwealth Women Parliamentarians (Designate), Hon. Shandana Gulzar Khan was congratulated by the outgoing Chairperson of the Commonwealth Women Parliamentarians, Hon. Dr Dato' Noraini Ahmad, MP (Malaysia); the CPA Chairperson, Hon. Emilia Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon; Rt Hon. Rebecca Kadaga, MP, Speaker of the Parliament of Uganda and former CWP Chairperson as well as all of the former CWP Chairpersons attending the business meeting.

At the CWP Steering Committee meeting held immediately after the election, the Members of the Steering Committee also elected Hon. Zainab Gimba, MP (Nigeria), CWP Africa Region Chairperson as the CWP Vice-Chairperson.

Under CPA election rules only female delegates to the



64th Commonwealth Parliamentary Conference and CWP Steering Committee Members could take part in the vote to elect a new CWP Chairperson. There were three candidates for the position of CWP Chairperson: Hon. Shandana Gulzar Khan, MNA (Pakistan); Hon. Michelle O'Byrne, MP (Tasmania who later withdrew her candidature); and Hon. Tara Rivers, JP, MLA (Cayman Islands).

Below: Ahead of the Commonwealth Women Parliamentarians (CWP) Conference in Uganda, the outgoing CWP Chairperson, Hon. Dr Dato' Noraini Ahmad, MP (Malaysia) chaired the CWP Steering Committee meeting in Uganda representing the nine CPA Regions: Africa; Asia; Australia; British Isles and the Mediterranean; Canada; Caribbean, Americas and the Atlantic; India; Pacific; and South-East Asia.





Sixth triennial Commonwealth Women Parliamentarians (CWP) Conference 23 to 24 September 2019

CWP AT 30: REFLECTIONS BY THE FOUNDER OF THE COMMONWEALTH WOMEN PARLIAMENTARIANS

Norma Cox Astwood (Lady Blackman), OBE, former Senior Psychologist to Schools (Bermuda) and former Vice-President of the Senate, Bermuda.

At the annual Commonwealth Parliamentary Conference held in Barbados in 1989, twelve of the four hundred delegates representing countries across the Commonwealth were women. At the end of the morning's discussions on the last day of the 35th Conference, a female Minister from Trinidad and Tobago queried why an agenda item concerning women had not been included in the Conference agenda. My unfamiliarity with the Trinidadian accent led me to misinterpret what was said and to believe that the Minister asked why the agenda item concerning women had been deleted.

When the Conference broke for lunch, delegates travelled by bus to a nearby hotel where I mentioned my dismay regarding the issue to another female delegate who shared similar concerns. I suggested that we write to the Commonwealth Parliamentary Association Headquarters and indicate our objection to the deletion of the agenda item about women from the plenary sessions. Overheard while standing in the queue awaiting to be served was another female delegate who asked to join the conversation. She was accompanied by another female who, while wanting to be a part of the group, told us that she could not be identified as a participant in the conversation because if she did her tenure in Parliament in her home country would end.

I mentioned our concerns about exclusion of agenda items concerning women to the other female delegates and all but one of them, who told us that she had

planned to go shopping, asked to participate in the discussions. I suggested to the rest of the group that we return to the Conference Centre on the first bus leaving the hotel so that we could continue our discussions.

Our discussions began with the suggestion that the eleven of us would each send an individual letter to the then CPA Secretary-General at the CPA Headquarters in which we would voice our concerns. That process began, but soon changed its focus when I asked the group if they thought our purpose would be served by sending so few letters. Change of direction then focused on our returning to our respective Parliaments and inviting other women Parliamentarians to join the discussion and participate in the letter writing. That suggestion was accepted. It was then decided that we should choose a name for the Group. The Commonwealth Women's Caucus was chosen as a temporary title. I was chosen as Coordinator for the Group and to see the formation formalised. That I did.

By mid-afternoon, when the Conference was winding down, I felt a need to inform all delegates that women delegates had formed a group because we wished to highlight the need for increased inclusivity of women Parliamentarians and to give greater attention to the fifty or so percent of constituents not directly represented in our Parliaments. A message via a brief circulated note to the eleven was passed around to indicate that I wished to make such an announcement and asked each to let me know if there were any objections to my so doing. No

one raised an objection.

My effort to get the attention of the Conference Chairperson via a note dispatched to him failed to ignite his interest in attending to my attempt. That led me to shift my efforts to the CPA Secretary-General by gesturing to him to open, read and act upon the note. That worked and I made the announcement which resulted in silence among the audience except from one male delegate who voiced his objection as he exited the room.

Apparently, there was significant surprise that such an effort met success so quickly. The CPA Secretary-General asked how we had been able to form a group.

A few weeks later the CPA Secretary-General let us know that in order for the Commonwealth Women's Caucus to be accepted into the CPA organisational structure, the Regional Secretariat of the Caribbean, Americas and Atlantic would have to ratify our decision as the annual conference was held in that Region.

As the then Coordinator of the Group, I wrote to the Regional Secretariat. The Regional Secretariat's Secretary responded on their behalf. Their answer indicated their unwillingness to ratify our request. Undaunted, but not surprised, I contacted the CPA Secretary-General, indicated the Region's negative response, and asked for the assistance of the CPA Executive Committee to ratify the Commonwealth Women Parliamentarians' request at their next meeting. The matter was taken to the next CPA Executive Committee meeting and was ratified.

Rejection at that time was, as now, unacceptable, but part of the political culture of the era. It is a type of behaviour that has at its roots, ingredients that undermine efforts to establish a democracy and prevents Parliaments from representing all the people. It is especially an affront to the human rights of women seeking to or already working in politics.

The Commonwealth Women Parliamentarians was the name chosen for the group at a subsequent meeting. That is the history of how the Commonwealth Women Parliamentarians network of the Commonwealth Parliamentary Association began.

The purpose of forming such a group was to increase the number of women Parliamentarians in Parliaments across the Commonwealth; to increase attention to issues facing countries because of a lack of understanding about how the paucity of women in Parliaments presents difficulties to the general population; and to show how that lack of women negatively contributed to less effective service to each country's female population. It was also intended to bring attention to issues facing women across the Commonwealth and to implement legislation that assisted in bringing about appropriate change.

Now thirty years later, it is even more apparent that complaints that existed then continue. Many of those complaints are exhibited to a larger extent in underdeveloped and developing countries. Examples of those conditions



CWP AT 30 YEARS: ACHIEVEMENTS AND UNFINISHED BUSINESS: LOOKING FORWARD TO THE NEXT 30 YEARS



across the entire Commonwealth include, but are not limited to, intimate partner violence, sexual harassment, reduced educational opportunity for females and less economic equality for women.

Initially, greater focus was placed on increasing the number of women in Parliament. There has been some success in that regard in some countries in the Commonwealth. Gender bias shown in positions of power, intimate partner violence, access to education, and certain types of employment opportunities continue to plague the development, empowerment and overall development of women across the Commonwealth.

The wheels of Parliament tend to grind slowly. Recent periods in history indicate that *the people* are growing weary of how long it takes to pass legislation and to attend to matters associated with life's basic challenges. It is a whole generation ago since the group that has come to be known as the Commonwealth Women Parliamentarians was established. It rose out of an era when many men - especially men in areas where male dominance succeeded

almost unchallenged – were able to stall situations where women 'dared' to stand their ground.

The next thirty years saw calls for additional methods for Parliaments to represent constituents. Some of that work includes greater efforts to educate candidates for election and appointment to Parliament. For instance, there are still Parliamentarians who see women merely as 'homemakers' and 'child-bearers' without recognising the depth and breadth of thought-processing required to operate those domestic engineering skills. There is a need to bring the wisdom of the Commonwealth together so as to share the wisdom that emanates from the four corners of the Commonwealth, to dispel the myths that exist about each of those corners, and to show how women function across the Commonwealth.

Women who are intimidated, harassed and insulted because they seek to serve in politics are actually experiencing a form of violence, a hindrance to the fulfillment of opportunities to further serve their countries, often to being seen as preventing insecure or hostile male candidates from the acquisition

of similar political positions and disrupting the status quo.

Intellectual global exchanges, the wider use of the internet, continuous and growing connectivity among the peoples of the world (including the Commonwealth), student exchanges around the globe, and business development all add to how differently the world functions now than it did thirty years ago.

It is as if Parliament operates BC - *before computer* use was so widespread, *before cell* phones, *before crypto* currency arrived. It is a new world order which calls for changes to update out-moded ways of carrying out business on behalf of all of the constituents.

A study by the Inter-Parliamentary Union designed to show how sexism, harassment and violence negatively affect women Parliamentarians shows that sexism, threats of death, rape, beatings, abduction, harassment including unwanted attention, unwelcome verbal contact, frightening interpersonal interaction, and humiliating sexual remarks commonly occur against women Parliamentarians. These are just some of the examples of

violence against women.

In some parts of the world, the people are growing weary at the lack of a prompt response from their elected representatives and are taking matters into their own hands when their requests are ignored or unduly delayed. My expectation is that the next thirty years will see the people's efforts to bring about change broaden. Women both inside and outside of Parliament are more likely to agitate for change in how women are perceived.

Supportive organisations such as Amnesty International, UN Women and the International Alliance for Women can add to efforts to bring about change in how women are seen and treated.

Can Parliaments accept the more modern momentum with required changes? Will the Commonwealth Women Parliamentarians continue to have to fight to bring about changes that women and many men know are obviously needed? Is there the political will to bring about change in order to lay the foundations for functional democracy? Need exists for those changes to occur.



In recognition of 30th anniversary of the Commonwealth Women Parliamentarians, the former, outgoing and newly-elected CWP Chairpersons from Malaysia, Uganda, Dominica, Pakistan and South Africa addressed the CWP conference.



Sixth triennial Commonwealth Women Parliamentarians (CWP) Conference 23 to 24 September 2019

CWP Conference session 1 - 23 September 2019

IMPORTANCE OF MENTORING FOR NEW PARLIAMENTARIANS

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

Discussion Leaders:

- Hon. Smt. Aparajita Sarangi, MP (India Union)
- Hon. Solomon Lechesa Tsenoli, MP, Deputy Speaker of the National Assembly (South Africa)
- Dr Roberta Blackman-Woods, MP (United Kingdom)
- Dr Lesley Clark, CWP Alumni Champion and former Member of the Queensland Parliament

Rapporteurs: David Senyonjo and Grace Gidudu (Parliament of Uganda)

The first workshop session of the CWP Conference focused on sustained mentoring as an effective strategy for increasing the influence of elected women leaders and for increasing the likelihood for their re-election. When framed with a gender equality agenda, women's political mentoring programmes can be an effective strategy for newly elected women MPs, particularly in the following areas: strengthening political skills, enhancing cross-party networks of women Parliamentarians, strengthening links between women MPs and women's rights movements, and deepening political ties across countries.

As part of the CWP's commitment to support women Parliamentarians in their parliamentary roles and responsibilities, and the greater inclusion of women Parliamentarians in leadership and decision-making positions, the CWP has highlighted the need to ensure that the experience and expertise of former women Parliamentarians are not lost once Members complete their term in office. The CWP Alumni Initiative aims to harness the skills, experience and knowledge of former women Parliamentarians to support the political careers of newly elected and sitting women Parliamentarians in the CWP network. There is currently no

mechanism through which to tap into the enormous resources of retired women Parliamentarians or women who have gone on to a successful post-parliamentary career.

Smt. Aparajita Sarangi, MP (India Union) emphasised that the work of Parliament is varied in nature and considerable in volume; thus, the need to mentor new Parliamentarians. There are so many expectations and onerous roles and responsibilities placed on Members of Parliament. There is therefore a need to train new Parliamentarians so that they can be able to get into the finer nuances of parliamentary practices and procedures, hone their skills, maximise effectiveness and emerge as Members capable of delivering to the expectations of those they represent.

She cited a book called *'Good to Great'* by Jim Collins, which indicates that what is common to all great companies is that there are leaders who mentor others, which is also true for the political arena. She stated that examples should be taken from Myanmar and Australia that have engaged in mentoring in an organised way and where they have registered success.

She further emphasised that mentoring is extremely important for women Parliamentarians because they face greater challenges than their male counterparts and they always

doubt that they will rise to the occasion. To counter this, women should be well educated and should have access to research and information, and therein lies the need for mentoring.

She emphasised three ways that mentoring could be done in Parliaments: in-house mentoring through seminars and workshops; political party mentoring; and mentoring through Parliament libraries which have great materials for reading and learning.

Hon. Solomon Lechesa Tsenoli, MP, Deputy Speaker of the National Assembly (South Africa) emphasised that inducting, orientating and building capacity of Parliamentarians is a necessary intervention if Parliament as an institution is to be effective. He noted that the impact of orienting Parliamentarians is felt not only on the jobs they have to do but also on the people who look up to them as role models. He further noted that the strengths cultivated in Parliamentarians from mentorship will be reflected in the people they represent.

He went on to state that when women get involved in politics, they are looked at with greater scrutiny than their male counterparts, thus the need for female Parliamentarians to be mentored and encouraged. He emphasised that the capacity



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to be effective must be learned from those that have been there before. He added that Parliamentarians must deepen their sets of skills in order to effectively learn the areas that they are deployed to serve.

Dr Roberta Blackman-Woods, MP (United Kingdom) emphasised the need to mentor women for elected offices. She stated that there are huge variations in women's representation in politics. Women's representation in politics is still low, with 12 countries (out of 53) in the Commonwealth having more than 30% of women represented while 12 countries have less than 10%.

She cited key barriers to women representation in politics including domestic responsibilities, cultural attitudes regarding the roles of women, lack of support from family, lack of confidence and lack of finances. Mentorship was presented as a solution to bridge those gaps as a number

of reports from international institutions specifically recommend mentorship programmes as a key strategy for encouraging women participation in politics.

She highlighted the use of e-mentoring through social media as one of the possible ways to complement traditional mentoring. Websites, email, Facebook and Twitter can be used to help build women's knowledge of political systems and develop their political skills. However, mentoring through social media is not an alternative to the more traditional face-to-face training, but is an important tool that can help women learn from each other.

CWP Alumni Champion, Dr Lesley Clark emphasised the importance of the new Alumni Initiative for the Commonwealth Women Parliamentarians network. She urged that it be supported as outlined in the CWP Strategic Plan 2017-19. She also stated that relationships are

essential to making mentoring work. Knowing that someone is always there for you no matter what is very important, and that is the role of the mentor.

She stated that a trial of the CWP Alumni Initiative was carried out in Australia. To date, 23 former Members of Parliament have returned registration forms to the CPA Headquarters expressing their interest to become mentors. There is a plan to roll out the initiative to other CPA Regions. Regional and Branch Steering Committees will play a role in developing the CWP Alumni Initiative so that it is tailored to meet the specific cultural and political context and needs of CWP Members.

She stated that support can be requested from parliamentary staff, the CPA Headquarters Secretariat and CPA Regional and Branch Secretariats. Regional strengthening funds provided to CWP Regional Steering Committees can also be used to support the CWP Alumni

initiative.

The workshop opened to contributions from delegates attending the conference.

Hon. Princess Kasune, MP (Zambia) asked what was being done by CWP beyond what is being done currently by individual Branches/Regions.

Dr Lesley Clark responded that the CWP Strategic Plan has the importance of mentoring and the CWP Alumni Initiative included in it. She encouraged delegates to support the activities of the initiative when they are brought up.

Deputy Jessica Perchard (Jersey) suggested that in order to achieve change, the goal should be to nurture and involve the next generation in politics. Attention should be shifted to young women and girls who are not yet in politics but would be interested later. She asked if there are resources to support mentorship for such young women and girls.

Dr Lesley Clark responded





“As part of the CWP’s commitment to support women Parliamentarians in their parliamentary roles and responsibilities, and the greater inclusion of women Parliamentarians in leadership and decision-making positions, the CWP has highlighted the need to ensure that the experience and expertise of former women Parliamentarians are not lost once Members complete their term in office.”

that many women MPs are actually, out of their own initiative, working with other women, especially the young women and girls. She also cited Melbourne University which a programme called ‘Pathways to Politics’, which reaches out to young women who may have political ambitions.

Dr Fehmida Mirza, MNA (Pakistan) stated that mentoring and coaching should go together. She gave the example of Pakistan where they formed a women’s caucus in Parliament for women to share experiences and build capacity. They also have an Institute of Parliamentary Studies and they have created a group of alumni female MPs who interact with the newer Members. All this has been helpful in mentoring women MPs in Pakistan. She suggested that similar platforms should be set up by CWP/CPA for mentoring and capacity building.

Hon. Dennitah Ghati, MP (Kenya) stated that politics is tough for women but is even tougher for women with disabilities. She suggested that issues concerning women leaders with disabilities be highlighted and incorporated in the CWP

programmes and initiatives.

Hon. Gladys Wanga, MP (Kenya) asked how senior current MPs can get involved in the CWP Alumni Initiative. She further asked what incentives are there for MPs who are involved as mentors? She advised that mentoring should include teaching MPs that they should focus on specific areas and not be a jack of all trades. In this way, they will leave a lasting legacy in their political careers.

Dr Lesley Clark responded that this should be done mainly by women caucuses, through cross-party and interparty mentoring.

Rt Hon. Rebecca Kadaga, MP, Speaker of Parliament (Uganda) suggested that the CWP Regions should keep databases of former MPs to rely on for mentoring. She also suggested the formation of a women’s caucus to handle mentoring where they see inefficiencies. She gave the example of the Ugandan Parliament which has a strong women’s caucus, which has helped women MPs plan for legislation and discuss issues affecting them.

At the end of the workshop discussions, four

recommendations were *endorsed* by delegates as follows:

- The work done by Parliament is not only varied in nature but also considerable in volume. Therefore, all Parliaments should strive for in-house capacity building and mentoring the new Parliamentarians.
- Inducting, orienting and building the capacity of Members of Parliament is a necessary intervention if we and the institutions we serve in are also to become effective.
- Political parties and governments should provide mentoring programmes to encourage women and girls to stand for elected offices including Parliaments, and to support women when successfully elected.
- To establish an CWP Alumni Mentoring Trust Fund to provide resources to CWP Steering Committees to assist in developing and implementing mentoring programmes for sitting women MPs.



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CWP Conference session 2 - 23 September 2019

PROMOTING WOMEN TO LEADERSHIP POSITIONS AND SENIOR PORTFOLIOS

**Moderator: Hon.
Aol Betty Ocan, MP,
Opposition Leader
(Uganda)**

Discussion Leaders:

- Hon. Zainab Gimba, MP (Nigeria)
- Hon. Sharie de Castro, MHA (British Virgin Islands)
- Ms Ann Jones, AM (Wales)

**Rapporteurs: Namukose
Esther and Kobere Betty
Nayah (Parliament of Uganda)**

This workshop session focused on the role of women in political leadership in the Commonwealth and the practical strategies and actions that can be taken to enable and support more women to move into positions where they can influence positive change in their communities. Key amongst these were creation of legislative frameworks that allow for equitable access and recruitment practices of women into leadership positions and realistic sharing of experiences to inspire change.

Hon. Aol Betty Ocan, MP (Uganda), in her introductory remarks, recognised that women's issues are global in nature and have consequently culminated into international instruments like the *International Covenant on Civil and Political Rights*, the *Convention on Elimination of all Forms of Discrimination against Women*. In Uganda, the legislative and regulatory framework that covers women's issues includes: the 1995 *Constitution of the Republic of Uganda*, the *Uganda Gender Policy (2007)*, the *National Action Plan on Women (1999)* and the *Employment Act, 2006*.

She noted the low numbers of women in leadership positions despite the existence of laws. Quoting worldwide statistics, she observed that in 2016, out of 277 Speakers of Parliaments, women occupied 53 of them; while there is only one African

female President in Ethiopia. The situation is worse at lower administration levels. She implored more to be done to ensure improvement in women's involvement and participation in leadership and decision-making.

Hon. Zainab Gimba MP (Nigeria) started the discussion by recognising CWP's 30th anniversary gathered under the theme: '*CWP at 30 years: Achievements and Unfinished Business - Looking forward to the next 30 years*'. She highlighted the timeliness of the theme for taking stock of achievements and challenges and planning for the future. She noted that although women constitute 50% of the world's population, they do not enjoy equal rights and are not equally involved in decision-making as men, which is a hindrance to achieving true democracy.

She however applauded the role played by the United Nations in the documentation of progress made by women, the establishment of conventions that put in place minimum benchmarks for upholding women's rights and pushing forward policy issues that promote women.

Despite these advances she noted low literacy rates, financial setbacks, rigging, cultural and religious practices, intimidation and lack of support from fellow women as some of setbacks hindering women's participation in politics.

Women were urged to

embrace Information Technology to address deeply entrenched cultural and social practices for personal advancement, effectively prepare for leadership positions and cultivate spaces that allow discussion and advocacy for women to be pro-women. Advocacy efforts should however be contextualized according to geographical location and should enlighten women that their fellow women understand their problems more than men.

Other proposed actions included:

- Having transparency and creating equal opportunity for all sexes.
- Institutions should have gender units where women are free to discuss issues and have gender mainstreaming programs that offer skills to prepare women to lead and be effective as leaders.
- There is need to use effective advocacy and mobilization methods that speak to issues at constituency level.
- All efforts must be documented and assessed for progress and challenges.
- Women should be pro-women, which can be used as a tool for achieving promotion, growth and dealing with intimidation amongst women.

Hon. Sharie de Castro, MHA (British Virgin Islands) recognised the legacy created by past women leaders that have inspired young



leaders including herself through overcoming insurmountable challenges to make lasting impact in their societies.

She is part of a political party that recognises the roles played by women and youth leaders, which has enabled an appreciation of a wide range of policy issues, creation of solutions and has allowed Parliament to become more representative of the society it serves.

She recognised that all women have a role to play and bring diverse experience to the table. She cited lack of money, limited access to education and lack of

connections to win campaigns as the challenges impeding the progress of women but continued to advocate for their election. Election of more women creates a ripple effect thus encouraging younger women to take up key positions. She advised women to promote each other.

To create change, women in politics were encouraged to tell their story. Through sharing their experiences, challenges and lessons, women leaders are able to portray realities of getting and staying in leadership positions. She noted that the major role of a woman in politics is to encourage innovation and embrace new ideas of tackling problems. Women leaders have to be realistic, face the hard truth so as to devise new solutions. This calls for leaders to adapt, innovate, find new niches where competitive advantage has become increasingly important.

In conclusion women leaders were urged to have realistic conversations that resonate with the electorate and to leverage their networks as a platform to hold conversations that result into actions that will create lasting change.

Ms Ann Jones, AM (Wales) informed the CWP conference that Wales' interest in pursuing the involvement of women in politics preceded 1999 when the National Assembly of Wales was created. At the forefront of this equality was the use of legislative proposals that underpinned the need for equal gender representation for elective offices. The Labour Party to which she belongs practically promoted equal representation in constituencies by twinning, such that if a male candidate was nominated in one constituency, a female had to be nominated in another. This initiative changed the course of politics in Wales and laid the groundwork that later culminated into achievement of 50-50-gender balance split in National Assembly in 2003.

There are also more women in prominent cabinet portfolios such as finance, health, agriculture, and rural affairs. These women were able to change how the Assembly does its work by bringing the woman's perspective into the economic spheres of Wales. For instance, women were able to rally support that would see retention of public bus transport as a means to support their role of childcare and in the finance portfolio, they were able to influence allocation of the scarce resources.

Women legislators are critical in supporting key legislation, as was the case for the law on fire fighting. Through recognising the centrality of the home in capturing the family's history, women Parliamentarians supported this legislation and also participated in its drafting.

She cautioned that Assemblies have to be intentional in promoting women through providing equitable opportunities for them to contest and allowing for fair competition. In Wales where measures have been put in place, women have proved to be equally good to hold elective office.

Ms Delyth Jewell, AM (Wales) asked what should be done by society to counter the lack of trust and faith to support women leaders.

Ms Ann Jones, AM in her response decried the abuse and misuse of social media and urged

women to support each other to counter cyber-bullying. She reiterated her stand to support any woman that comes forward provided it is based on capability rather than just gender.

Hon. Zainab Gimba, MP responded that despite women being ambitious they do not have safe places and often have to surmount stereotypes at political party level. Out of intimidation they find themselves speaking on only gender issues and often they will not necessarily consider the entire picture of what a woman leader should do.

Hon. Sharie de Castro, MHA in her response urged women leaders to inspire change rather than forcing it. Women leaders should be realistic and vulnerable in sharing their experiences such that their constituents can authentically relate to them.

Hon. Aisha Adams, MP (Malawi) submitting on the issue of women not supporting fellow women; she advised delegates to use men to persuade women to vote for fellow women. Giving Malawi as an example, she noted the improvement in the number of female Members of Parliament from 2 to 45 in the current Parliament. Malawi also has both a female Speaker and herself, as the second Deputy Speaker.

Ms Ann Jones, AM in her rejoinder noted the need for role

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“To create change, women in politics were encouraged to tell their story. Through sharing their experiences, challenges and lessons, women leaders are able to portray realities of getting and staying in leadership positions... Women leaders have to be realistic, face the hard truth so as to devise new solutions. This calls for leaders to adapt, innovate, find new niches where competitive advantage has become increasingly important.”

models and people who will speak up to confront issues for the common good.

Hon. Sharie de Castro, MHA then noted that having more women at the table doesn't diminish the need for more provided each plays their role and that they can synergize their efforts.

Hon. Amina Mollel, MP (Tanzania) expressed concern over lack of representation of issues affecting persons with disabilities by the panelists. She asked the discussion leader from Wales to share experiences from Europe on the matter.

Ms Ann Jones, AM (Wales) in her response encouraged delegates to use her as a role model since, despite her disability, she has reached the top of her political career. She cited examples where she has openly boycotted podiums that didn't have a ramp access or spoken out on injustices against persons with disabilities.

Hon. Nontembeko Nothemba Boyce, MPL (KwaZulu-Natal) noted that eight out of nine provinces in South Africa have women Speakers, in addition to other national leadership positions.

She observed that women leaders should also be empowered to stay in these positions through the creation of a conducive environment. The CWP should lead this empowerment to ensure that women uphold good governance, human rights and create opportunities for other women.

Hon. Winnie Kiiza, MP (Uganda) advised women representatives to identify areas of weaknesses so that they can address them for improvement. She recommended early identification of talent, grooming and mentorship as a means of developing and preparing young leaders. Women leaders were encouraged to read and discover their areas of competence so as to optimise their strength and capabilities.

Hon. Joy Atim, MP (Uganda) emphasised the role that affirmative action has played in increasing the representation of women in Parliament. She made a request to the CWP to train women leaders and cautioned the leaders not to look down on themselves but rather inspire others.

Hon. Nancy Gladys Tembo,

MP (Malawi) asked how women leaders can navigate speaking out the truth to the powers that be without fear of being sidelined or victimised for it. She also asked whether it was possible to retrieve and review previous recommendations so as to ascertain progress made in their implementation.

Hon. Aol Betty Ocan, MP (Uganda) advised that for future meetings, the CWP needs to compile and share progress on the implementation of recommendations made at today's meeting.

Rt Hon. Rebecca Kadaga, MP, Speaker of Parliament (Uganda) noted that on this occasion the host Branch for the CWP Conference had invited all past CWP Chairpersons who were all present. These were: Hon. Lindiwe Maseko, MP (South Africa) 2004-2007; Ms Kashmala Tariq, MNA (Pakistan) 2007-2010; Hon. Alix Boyd Knights, MHA, Speaker of the House (Dominica) 2010-2013; Rt Hon. Rebecca Kadaga, MP, Speaker of Parliament (Uganda) 2013-2016; and Hon. Dr Dato' Noraini Ahmad, MP (Malaysia) 2016-2019.

The workshop delegates *endorsed* three recommendations as follows:

- Need for legislative policy frameworks at national and global levels that create equitable access for women to leadership positions, gender parity and remove social-cultural impediments.
- Consider how CWP can leverage its network by allowing Members to share their experiences and expertise in an atmosphere that catapults discussion into actionable outcomes.
- Encourage political parties to amend their constitution to adopt fair recruitment principles to enable a wider range of women to put themselves forward for elections.



Sixth triennial Commonwealth Women Parliamentarians (CWP) Conference 23 to 24 September 2019

CWP Conference session 3 - 24 September 2019

EMPOWERING WOMEN AS EFFECTIVE LEGISLATORS IN THE 21ST CENTURY

Moderator: Hon. Syda Namirembe Bbumba, MP (Uganda), CWP President

Discussion Leaders:

- Rt. Hon. Rebecca Kadaga, MP, Speaker of Parliament (Uganda)
- Hon. Dr Aisha Ghaus Pasha, MNA (Pakistan)
- Hon. Alice Lau Kiong Yieng, MP (Malaysia)
- Ms Helen Haywood, Deputy Chief Executive, CPA UK Branch

Rapporteurs: Mr Salim Katumba and Ms Esther Namukose (Parliament of Uganda)

The session was focused on discussions around empowering women as effective legislators in the 21st century. The session also suggested ideas that would help women legislators from Commonwealth countries to improve the way they legislate, how they can increase their numbers and how to handle issues of recantations.

Rt. Hon. Rebecca Kadaga, MP, Speaker of Parliament (Uganda) noted that training, induction and capacity building should be enforced if the CWP is to see female MPs retained and increased in Parliaments. She continued that the training, induction and capacity building is continuous, because the induction that is usually conducted a few months after the excitement of winning an election is insufficient. She highlighted that excessive training and induction makes female legislators have high levels of integrity to contribute to different issues on the floor during debate.

As a Speaker of Parliament, she gives lots of opportunities to

women legislators to contribute to the debate. Also, when there are delegations from the Parliament of Uganda to other organisations or overseas, it is a must to have a female legislator. She has gone ahead to make sure that the Parliament of Uganda, has a baby centre where the female legislators and workers can rest their babies during a parliamentary sitting, a policy that all government institutions have adopted and she encouraged all the Commonwealth Parliaments to adopt the same.

Hon. Dr Aisha Ghaus Pasha, MNA (Pakistan) pointed out four 'M's can be used in empowering female legislators: Mobilization - of fellow women to encourage them join Parliament, with more women in Parliament their issues are easy to address; Mentoring - by senior female legislators to the new female legislators; Money - looking for enough resources to fund female dominated projects; And Men - female legislators need the support of male legislators to achieve the above.

Dr Pasha noted that most Commonwealth Parliaments are dominated by male legislators, so it is the obligation of the female legislators to break that dominance, though in a way that brings on board male legislators for support. She said that female legislators should focus on how to address the women's issues together first rather than being dragged into political issues. She gave advice that female legislators should use women caucuses to come up with legislation that push for women's issues both in Parliament and outside Parliament.

Hon. Alice Lau Kiong Yieng, MP (Malaysia) advised delegates to develop strategies that encouraged male-dominated political parties to implement programmes that advance women's participation in politics. She quoted the fulfilment of the Sustainable Development Goals (SDGs), particularly Goal 5 of the SDGs and the targets that depend upon it. Goal 5 of the SDGs aims to achieve gender equality and to empower all women and girls by 2030. There was an observation that around the world, women and girls continue to be marginalised from the political sphere due to discriminatory policies and cultural practices, which widen the absence of women in politics. According to data from UN Women, only 24.3% of all national Parliamentarians were women (as of February 2019), which shows a slow increase from 11.3% when the Beijing Platform for Action was





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adopted in 1995. She concluded by noting that the world needs more women Parliamentarians to address the overlapping dynamics of inequality and to represent the voice of women and girls, including those from indigenous communities, persons with disabilities, as well as women living in conflicts and fragile settings.

Ms Helen Haywood (Deputy Chief Executive, CPA UK Branch) asked female MPs to take advantage of the CWP Conferences, through learning from each other's experiences and implement the lessons to better their legislative skills. She noted that the CWP is not a one-way street; it is not one set of Parliamentarians from one CPA Branch telling another what to do and how to do it. The CWP is a conversation and everybody shares, learns, reflects, contextualises and then considers how they can apply that learning to be the best Parliamentarian they can be. She continued that by upskilling women Parliamentarians, there is no guarantee to long careers – sometimes politics gets in the way. Lastly she highlighted that going on overseas visits, attending conferences, seminars and workshops can be seen as secondary to the core work of Parliamentarians. But these opportunities provide important

professional development, which do not necessarily exist in individual Parliaments. The CWP and CPA conferences are a safe space and it is a productive and affirming space, you cannot do everything, though the best programmes are designed by you, for you.

The workshop was opened to delegates. Hon. Safia Nalule, MP (Uganda) noted that the CWP should not only focus on the representation of women and their welfare, but also consider encouraging women with disabilities to take on leadership and be fully represented. She continued that while the Executive is preparing for the annual budgets, female legislators should be keen to see whether checklists like gender compliance and checklists about persons with disabilities are also being considered.

Hon. Dr Esther Mcheka Chilenje, MP (Malawi) gave an example of the just concluded parliamentary elections in Malawi, where most female legislators were not returned in the elections and thus the number of female legislators has reduced. She also thanked the Speaker of the Parliament of Uganda for her programme of moving with the existing female Members of Parliament in their constituencies to encourage their return to Parliament. She recommended to

the CWP leadership to come up with a programme of retention of female legislators and also to look at how to increase their numbers.

Hon. Nancy Gladys Tembo, MP (Malawi) said that, like her Malawi counterpart, she strongly encouraged the CWP to come up with a retention programme and also look at how to come up with capacity building programmes for newly elected female legislators.

Hon. Shandana Gulzar Khan, MNA (Pakistan) asked the CWP leadership to come up a programme where the needs of female legislators with disabilities are given special training and also support legislators with disabilities to come up with their independent forum.

Dr Lisa Cameron, MP (United Kingdom) added her voice to other legislators for the CWP to champion the needs of the female legislators with disabilities.

Senator Salma Atallahjan (Canada Federal) argued that the CWP should come up with programme that focus on defending the rights of not, only female legislators, but also other women that are not in leadership. She noted that research-based solutions should be considered, if the CWP is to see success in all the above suggestions by delegates.

Hon. Babirye Kityo Sarah,

MP (Uganda) brought in a new aspect of the CWP and all Commonwealth Legislatures to the debate, that of looking at how they should involve the female youth in the leadership of their respective countries. She noted that, it would lead to institutional memory and it becomes easier for retention since female legislators are involved at youthful age.

She challenged CPA Branches with no special youth representation, to start thinking of Uganda as a model country for benchmarking on how their jurisdiction includes youth representation in their Legislatures. One example of this is the position of the national female Youth Member of Parliament that Uganda has introduced. In addition, she recommended mentorship by senior legislators to younger legislators to help them gain quick debating skills, which in the long run would contribute to retention.

The four recommendations at the session were *endorsed* as follows:

- Training, Induction and Capacity – Building for Female Legislators. This will make female Members of Parliament ready for any leadership position
- Invest continuously and strategically focussing on mentoring women Legislators to enable them and ensure social, political, economic and legal empowerment of women and women with disabilities.
- Empower women as effective Legislators including those from minority groups, and ensure political environments are free from gender-based discrimination for a democratic governance
- Take opportunities to increase your knowledge and skills in the performance of your parliamentary duties, and to share your expertise with other Commonwealth Women Parliamentarians.





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CWP Conference session 4 - 24 September 2019

COMBATING BULLYING AND HARASSMENT WITHIN PARLIAMENTS

Moderator: Ms Lilian Greenwood, MP (United Kingdom)

Discussion Leaders:

- Ms Sonya Kilkenny, MP (Victoria, Australia)
- Ms Laura Ross, MLA (Saskatchewan)
- Ms Anahila Kanongata'a-Suisuiki, MP (New Zealand)

Rapporteurs: Mr Turyamureba Medard and Ms Hope Kasedde (Parliament of Uganda)

This CWP workshop session focused on the ways in which Commonwealth Parliaments can effectively combat bullying and harassment in the workplace. It explored practical strategies that can be implemented to prevent sexual harassment and bullying within Parliaments, which has become common culture and normalised behaviour.

Ms Sonya Kilkenny, MP (Victoria, Australia) started the discussion by highlighting that there is no single definition for harassment/bullying but it involves: imbalance and misuse of power; repeated and unreasonable use of words or actions that belittle, intimidate, harass, humiliate, embarrass, demean and marginalise individuals. She noted that it is a culture of behaviour that is

“This CWP workshop explored practical strategies that can be implemented to prevent sexual harassment and bullying within Parliaments, which has become common culture and normalised behaviour.”

embedded and legitimated for years and years; for example, the attitude that Parliament is *'not for the faint-hearted'*; *'you knew what you were signing up for'*; *'if you can't hack it, get out'*. The behaviour if not adequately addressed has far reaching negative consequences ranging from individual to organisational namely; the loss of productivity, personnel turnover and absenteeism. For Parliaments, it results in a lack of ability to attract more women and representatives from diverse backgrounds. To deal with this culture and behaviour of bullying and harassment, strong leadership and political will is required.

Parliaments can respond by educating communities on equal representation and greater diversity of backgrounds, developing codes of conduct and

good behaviour policies for MPs and political parties, and each Member becoming a role model so that the young people can learn from them.

Ms Laura Ross, MLA (Saskatchewan) spoke about the need to have all complaints reported and heard by having policies in place. The idea that zero complaints means no harassment is a misconception. Most managers and employees believe that if there are no complaints the workplace is free of bullying and harassment which is not true. The importance of cultural and behavioural change, which becomes evident with as little as 30% women's representation in Legislative Assemblies, was underscored. There is a need to understand boundaries even if you are colleagues and have a zero tolerance to harassment in the





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Legislative Assemblies.

Ms Anahila Kanongata'a-Suisuiki, MP (New Zealand) shared the experiences in New Zealand stressing the need to make Parliament a safe working environment for all. The role of able leadership in breaking barriers and making sure that harassment and bullying was stressed; highlighting the compassion of the Prime Minister in handling complaints, setting up a review commission into the sexual harassment predicament. She emphasised that every person needs to live free from violence and the need to fight until this is achieved.

Dr Lisa Cameron, MP (United Kingdom) emphasised the need to have and choose policies that ensure all parties have a code of conduct against harassment.

Hon. Anna Adeke Ebaju, MP (Uganda) indicated that the discussion was timely because

many times legislators make the environments safe for other women but forget making Parliament safe for legislators themselves. She noted that it is important to have an accreditation system and an award given to Parliaments that have made an effort to make their Parliament safe for women to work in. There should be guidelines or checklists on how the policy should look. The draft policy should be considered and adopted by every Parliament in order to have equal safeguards for women across the Commonwealth.

Hon. Karabo Khakhau, MPL (Free State, South Africa) noted that there is need to have a conversation that speaks to Parliaments being safe place for the empowerment of women. Women are enemies to women which hinders the progress of young women from coming up. Interrogate the policies that deal with the dress code.



Hon. Amanda G. Mapena, MP (Kwa-Zulu-Natal, South Africa) noted that one should not have a hard skin to be able to be in Parliament. Harassment has always been defined to mean what one can see visibly but if one feels harassed then it exists. The CPA Africa Region has cultural norms have made some practices seem normal.

A delegate from Canada said that Canada has a sexual harassment and bullying policy. All Members of Parliament and staff have to undergo training on sexual harassment, and everyone signs the code of conduct. Sexual harassment is not part of the parliamentary privilege. The education curriculum has been revised to include aspects of consent at early stages.

Hon. Gladys Nyasuna Wanga, MP (Kenya) proposed that there is a need to have education from a young age. Most Legislators hide behind parliamentary privileges and there is a need to separate what is criminal and what is covered under the Parliament's policies.

Hon. Andrea Khanjin, MPP (Ontario) noted the importance of early education to include consent because young people do not know about consent. These issues are not handled in the current school curriculum.

Hon. Agnes Kunihira, MP (Uganda) emphasised need to have policies trickle down to the society and cut across gender (male and female).

Hon. Princess Kasune, MP (Zambia) highlighted the need to harness the support of women at this time. Women are already supporting other women in politics.

Senator Marilou McPhedran (Canada Federal) noted that women in Parliament should not be considered based on gender and should be supported regardless of gender identity. There are many highly capable people who do not identify as male or female.

Hon. Adi Litia Qionibaravi, MP (Fiji) highlighted the need for cooperation and having the issues on bullying and harassment included in the induction sessions of all Members of Parliament. She acknowledged the contribution extended by the Parliament of New Zealand to the Parliament of Fiji in supporting gender issues.

Hon. Joy Atim Ongom, MP (Uganda) emphasised the need for strong guidelines of do's and don'ts as there is under reporting of the cases on sexual harassment.

Hon. Aparajita Sarangi, MP (India Union) noted that the Parliament of India has good leadership and the issues of bullying and harassment are not available in India. She said that in case a person is offended, he/she should not report to the leaders as they then know his/her weakness.

A delegate from Eswatini noted that the bullying and harassment in Parliament is normally faced by the newly elected Legislators (both men and women), but mostly women. She emphasised the need to have timelines for the policies to be implemented by the various Parliaments.

At the end of the workshop session, three recommendations were *endorsed* as follows:

- CPA Branches identify and report on procedures, policies, and frameworks within their Parliaments which promote a workplace that is respectful and free from discrimination, bullying and harassment.
- Any country that has human rights codes should use the guidelines to frame their anti-harassment legislations and policies
- Parliament must be a safe workplace for all and a model for other organisations. This requires not only words, but actions, championed by the leadership.



**55th General Meeting of the Society-of-Clerks-at-the-Table (SoCATT)
Kampala, Uganda
26 to 27 September 2019**

COMMONWEALTH PARLIAMENTARY CLERKS SHARE BEST PRACTICE AND INNOVATIONS IN PARLIAMENTS

The 55th Meeting of the Society-of-Clerks-at-the-Table (SoCATT) took place in the margins of the 64th Commonwealth Parliamentary Conference (CPC) in Kampala, Uganda. The meeting brought together Parliamentary Clerks and parliamentary staff from Commonwealth Parliaments to discuss the latest legislative practices and to share best practice.

Mrs Jane L. Kibirige, Clerk to the Parliament of Uganda was elected as the Chair of the meeting and she presented a paper on the parliamentary system and recent developments in Uganda. She outlined the history of the Parliament of Uganda and linked to the political developments in the country; from the colonial era, military regime and movement system to the current multi-party system. She explained to delegates that

the Parliament of Uganda has 459 Members in total; 65% male and 35% female. *The Administration of Parliament Act* creates the Parliamentary Commission, which is in overall charge of the management of Parliament. She briefed the meeting of the functions of Parliament, which are similar in most Commonwealth jurisdictions. She also spoke about different initiatives that the Parliament of Uganda had introduced for the benefit of Members and parliamentary staff including a breast-feeding facility for mothers, and Employee Assistance Program and an on-site gym.

Mr Henry Njolomole (Malawi) asked about the measures being taken to increase the number of women MPs in Uganda and was informed of the affirmative action

at the district level to encourage women to stand as candidates, in addition to women competing with men for constituency slots.

Mr Muhammad Anwar (Pakistan) asked how ex-officio Members are elected and was informed that the President can appoint anyone to a ministerial post, but that Parliament has to vet the person through the Appointments Committee. The Committee has government, opposition and independent MPs based on their numerical strength in the House.

Ms Lydia Kandetu (Namibia) asked about the nature of employees at the breast-feeding facility and whether the counsellors are outsourced or not. She was informed the crèche is fully owned and operated by the Parliamentary Commission, with all its assets including the staff.

The counsellors are outsourced.

Mr Safder Hussein (Pakistan) and Mr Krishna Smirivason wanted to know how the Opposition Leader is chosen and was informed that the party in opposition with the greatest numerical strength chooses the Leader of the Opposition. There is a Shadow Cabinet representing all opinions of the Opposition. Each Opposition party has a whip.

Further presentations were made during the two day meeting by a number of different Parliamentary Clerks on subjects including parliamentary procedures, privileges and practice; tackling bullying and harassment in Parliaments; the fourth Industrial Revolution and the core business of Parliament; minority governments and the challenges to parliamentary





ADAPTION, ENGAGEMENT, AND EVOLUTION OF PARLIAMENTS IN A RAPIDLY CHANGING COMMONWEALTH



clerks; the administrative and financial autonomy of Parliament; the media and the use of IT amongst Members.

Mr Pradeep Dubey, Principal Secretary, Legislative Assembly of Uttar Pradesh (Uttar Pradesh, India) presented a paper on parliamentary procedures, privileges and practice in which he underscored the initiatives to bring Parliament closer to the people. He informed delegates that some of the initiatives that have been introduced included:

- Live broadcast of Parliament plenary proceedings.
- Digitisation of all parliamentary proceedings since 1952.
- Access to the Rules of Procedure by the public.
- Establishment of the Committees, like the Petition Committee (headed by the Speaker) and Parliamentary Monitoring Committee, which follows up assurances made in the House.
- Parliamentary tours by the public.
- Motions, Notices and

Questions about peoples' grievances.

He went on to submit that visibility, accessibility and permeability of Parliament are very important to bring Parliament nearer to the people.

Ms Kate Lawrence, Joint Clerk of the Journals, UK House of Lords (United Kingdom) presented a paper on the UK Parliament's new approach to tackling bullying and harassment. She submitted that the new policy was developed without formal Parliament procedures and includes the following which applies to all parliamentary pass holders:

- New behavior code - applying inside and outside Parliament and on official duty. Everybody is supposed to be respected. An anti-bullying policy was also developed. Two helplines manned by external resource persons to report bullies were set up.
- Independence - Independent investigators are hired and their reports are referred to the



Standards Committee in the House of Commons and Conduct Committee in the House of Lords. Anyone found guilty can be sanctioned.

- Training - to change culture in relation to how MPs and parliamentary staff interact.

Mr Modibedi Phindela, Secretary to the National Council of Provinces (South Africa) presented a paper on '*The Fourth Industrial Revolution and Core Business of Parliament: Would anything change?*'.

He informed delegates that Parliaments are inevitably affected by the industrial revolution given the media, symposia, conferences, where they are involved. Parliamentary staff should be able to advise members in technical matters not necessarily conventional matters. He suggested it should be called 'Industrial Evolution, not Revolution'. He noted that Parliament practice is too slow to embrace innovation hence the need to employ young and 'technologically savvy' employees.

There is a need to amend the Rules to provide for the use of modern technology in transacting Parliament business. For instance, virtual sittings, e-petitions and e-submissions by the public during Committee meetings. Robots could be used as procedural advisers as long as they are fed with the right information and programmed appropriately.

The challenge with embracing technology is limited funds, yet Parliaments appropriate funds to all government institutions. Upgrading and purchasing new software to keep up with developments is expensive. Another challenge is cybercrime because no system is immune from hacking. The solution to this is strong cyber security laws and he urged participants to embrace technology in order to save money and time.

The SoCATT delegates held

a workshop session on the implications and status of the UK's 'Brexit' and its affect on Commonwealth Parliaments, led by Mr Thomas Healey, Clerk (United Kingdom).

Mr Andrew Young (Victoria, Australia) raised the issue of the significance of the call for documents in the UK House of Commons and he was informed that the House calls for government papers and where there is a public inquiry there is a potential for some things to be answerable in Parliament.

Mr Brian Caesar (Trinidad and Tobago) noted that the UK Supreme Court had recently ruled that the actions of the UK Prime Minister to prorogue Parliament was illegal. He queried whether there was a way that the UK Prime Minister could be censured as a result of his action. The response outlined that the power to prorogue Parliament had never been 'tested' in this way before and it was the first time that it had happened in the Supreme Court. However, there is no legal sanction provided.

Mr Mohammed Ali (Pakistan) enquired about the process of moving Amendments to motions in the UK and was informed that there was a provision for a manuscript amendment; however, the Speaker of the House of Commons had the power to decide which amendments should be debated.

Mr Modibedi Phindela (South Africa) enquired what is the fundamental reason why Britain wanted to exit the EU. It was noted that no-one ever articulated a clear vision of what leaving the EU meant and that here was still a difficulty in establishing what Britain desired by leaving the EU. On the determination of the agenda of the House of Commons, he was informed that the Executive often makes it difficult for Private Members Bills to be considered in the House



however, any Member could table a motion on anything. It is a character of the UK parliamentary system that the government is in control of the agenda.

Delegates broke into three smaller working groups and suggested a number of recommendations for Commonwealth Parliaments as follows:

- The Youth Parliament is a cardinal medium used to engage youths throughout the Commonwealth.
- The accountability system is used in most countries where, specifically the Public Accounts Committee Members engage with entities that have been invited to respond to queries.
- A number of Parliaments hold a 'Parliament Week' where several activities are held by the public at Parliament to engage the public in parliamentary debate. The importance for Parliaments to reach out to the public and how to get them involved in issues that concern them.
- Enforcement of decorum in the House – it was noted that many Speakers put errant Members to order, however in some cases, they may not be aware of the comments made in the House.
- Some Parliaments have full-day training sessions and others train for just a few hours. Publication of a mandatory list of those

that have attended training sessions creates a list of shame for those who don't and compels them to attend subsequently.

- The importance of confidentiality was discussed and whether harassment was worse in Parliaments or similar sized institutions. Going forward, it was agreed that there should be openness in cases of inappropriate behaviour.
- Implementation of modern technology in Commonwealth Parliaments - Parliaments should use technology if they hadn't started already in order to advance core business. One of the challenges in implementing technology has been that different Parliaments have noted that people in rural areas were not able to access this kind of technology.
- Many Parliaments have started using the technology and applying it to their rules and procedures. It was noted that many Parliaments are trying to go paper-less.

Parliamentary Clerks at the meeting also heard from McGill University about the International Professional Development Program for Parliamentary Staff and its impact in building capacity. A presentation was given about the CPA launching a new online professional development course for parliamentary staff that has

been developed and will be delivered in collaboration with the School of Continuing Studies at McGill University, Canada and the International School for Government at King's College, London.

Delegates at the SoCATT meeting heard from the CPA Headquarters Secretariat about the updated CPA *Recommended Benchmarks for Democratic Legislatures* and the self-assessment and technical assistance programmes available to assist Parliaments. Parliaments were encouraged to self-assess against these CPA Benchmarks and it was noted that the total number of benchmarks had increased from 87 to 132 and that many of these were on areas that were presumed to be sensitive some years ago. The updated Benchmarks also assimilated many of the suggested Benchmarks from different Regions and they were agreed to and owned by the CPA membership.

The following early observations on the CPA Benchmarks assessments were made:

- The importance of Presiding Officers in the process.
- The self-assessment must be owned by Parliament.
- Different entry points for self-reflection should be built into the process.
- The importance of flexibility in methodology.
- Recognise the difficulties in engaging civil society

All Commonwealth Parliaments were encouraged to undertake the CPA Benchmarks assessment given that the CPA Benchmarks form the basis of the CPA's Technical Assistance Programmes to Parliaments.

The final session of the SoCATT meeting was a continuation of the discussion on parliamentary procedure, privilege and practice.

Mr Mark Egan (Jersey) submitted that the situation in

Jersey is very different to the Westminster model to which most Commonwealth Parliaments subscribe. Deputies are elected as individuals and so there is no concept of collective responsibility, with Ministers arguing against each other on government policies. The system is based on consensus but in practice this is often difficult to achieve although many politicians think it is a good indicator of democracy.

Mr Eric Janse (Canada) spoke about the relationships between the federal and territorial Legislatures of Canada. He spoke about the concept of collective responsibility and how it is managed by communicating and explaining the position of government on policy matters, through arguments with Ministers. Collective responsibility was widely introduced in 2005 but criticised in some Assemblies as a factor that binds people and stops legislation linked to 'free will'.

A delegate from the Scottish Parliament suggested that there is institutional memory in their Legislature, which helps with the interpretation of procedures, precedents and past practices.

A delegate from Pakistan noted that the example of a Chief Justice also being a Presiding Officer might not help in developing institutional memory as they would everything on their own merits as a judge.

At the conclusion of the meeting, **Ms Lynn Gardner**, **SoCATT Secretary** (United Kingdom) outlined a number of SoCATT reports and decisions, and proposals for the agenda for the 56th SoCATT General Meeting were agreed. The Clerk of the Parliament of Uganda was thanked by the delegates for the generous hosting of the meeting.

Rapporteurs: Martha Kaganzi, Gilbert Ainomugisha, Ronald Bagaga, Kato Wilberforce, Catherine Namuddu and JB Kagoro (Parliament of Uganda)



**64th COMMONWEALTH PARLIAMENTARY CONFERENCE
Kampala, Uganda
22 to 29 September 2019**



Hon. Paul Amoru, MP is a Ugandan politician, media and Communications practitioner, public speaker and trailblazer. He is the Member of Parliament for Dokolo North County in the 10th Parliament of Uganda. He is the Vice-Chairperson of the Parliamentary Committee on Information and Communication Technology. Prior to entering Parliament, he held various roles with the Uganda Christian University, Uganda National Students Association (UNSA), Kumi University and the Uganda Business and Technical Examinations Board (UBTEB). He was Chairperson of the Media and Publicity Subcommittee for 64th Commonwealth Parliamentary Conference in Uganda.

**BEHIND THE SCENES: HOW MEDIA MANAGEMENT
BOOSTED THE 64TH CPC IN UGANDA**

When organising a successful conference, the contribution of the media cannot be overstated. The media channels information to the public but also sets the host country's mood and support for conference activities.

With the recently concluded 64th Commonwealth Parliamentary Conference (CPC) held in Kampala, Uganda in September 2019, the *devil was in the details*, as the saying goes. Preparations started as early as September 2018 when the National Organising Committee (NOC) was set up. Various Subcommittees were formed to handle the different aspects of the conference, among them the Media and Publicity Subcommittee.

The Speaker of the Parliament of Uganda appointed me to head the Media Subcommittee. Our terms of reference were to work closely with the CPA Headquarters Secretariat in London to coordinate all media and communications activities around the 64th CPC. As a first-time legislator, it was a humbling experience for me. I would like to, therefore, share with you the behind-the-scenes planning and efforts that enabled us carry out the task to the best of our abilities. I hope that you will find these tips and lessons useful.

Select the best persons for the job

My appointment was drawn from my experience as a media practitioner. The Speaker also appointed three other Legislators - Hon. Sylvia Rwabwogo, MP; Hon. Morris Kibalya, MP; and Hon. Rose Kabagenyi, MP - who have vast experience in media and planning to offer their support. The Uganda Parliament's technical staff buffered this team, with their rich and diverse professional backgrounds in ICT, Journalism and Research, and we collaborated closely with the Uganda Parliament Communications team. With a dynamic team in place, we worked out the modalities in good time to ensure we executed our role.

Early planning is key

We worked with the National Organising Committee (NOC) on the budget, initial planning and on the information that they required us to disseminate to the public. Our first meeting was in early October 2018, nearly a year ahead of the conference. The team agreed on a two-pronged approach to our publicity campaign. We identified activities that could be done in-house using the available resources and also mobilised partners for the part that we could not directly engage in.

The actual work kicked off in earnest when we launched the 64th CPC conference logo

in March 2019. The Media Subcommittee segmented into different groups charged with branding, content development and media engagement. We developed content aligned for print, television, radio and social media. Answers to frequently asked questions with emphasis on the benefits of hosting this important conference both to the Commonwealth Parliamentarians and to Uganda were developed.

The content was shared with the major media houses, which would then cascade it to the public, over and above what we had paid for. Another major task was developing the CPC conference website, which kept the delegates updated on the progress of the preparations, the registration process, the conference programme, accommodation and tourist attractions in the country.

My Media Subcommittee was also charged with branding for the 64th CPC. With this, assistance to other Subcommittees was rendered to ensure there was consistency in the logo, design and colours used for all the conference materials.

Empower the partners

We preferred an editorial-led campaign from the onset. The media team engaged the major media houses, through one-on-one meetings with their editorial managers. We ensured they



understood the significance of delivering a consistent and deliberate message about the 64th CPC without necessarily infringing on their editorial independence. The Speaker of the Parliament of Uganda and the Chair of the NOC formally launched the 64th CPC at a media breakfast, where editors and journalists sought a deeper understanding of the conference. This, and other activities geared at empowering our partners and equipping them with information, set the stage for the respectful engagement.

At the peak of the conference, a fully-fledged media bureau was set up. This facility was an imitation of a typical newsroom complete with state-of-the-art computers, Internet and printers. We also provided space for interviews and press conferences. This greatly eased the operations of the media. It is within the same facility that the team worked tirelessly to produce the daily conference newsletter, which was distributed to all conference delegates throughout the 64th CPC.

Have an online and offline strategy

The Subcommittee embraced social media in the wake of the challenges Uganda faced prior to the conference. The outbreak of the deadly Ebola virus in the DR Congo and its borders with

Uganda, coupled with incidents of kidnappings were challenges in our campaign. But with the use of info-graphics, live video feeds and chats, social media influencers and key personnel, we designed messages centred around security, tourism, investment, diplomacy and other topical issues that would be discussed in the conference. With our hashtag #64CPC2019 on *Twitter* and a *Facebook* page, we got the conversation going beyond Uganda and into international communities online.

Ask for help

The Media Subcommittee received great support from the leadership of Parliament. The Speaker of Parliament and the NOC always offered guidance. The Speaker hosted several press conferences and appeared on TV and radio frequently to speak about the conference. Worth noting is the guidance and support from the CPA Headquarters Secretariat in London, with their prior experience of previous CPCs. This leveraged our media bureau operations, coordination of the media and production of the daily conference bulletin. This support was also handy in the production of the Uganda supplement edition of *The Parliamentarian*, which was coordinated by the office of the Deputy Clerk with the editorial

team at the CPA Headquarters Secretariat.

We found value in working closely with other government departments such as the Uganda Media Centre, the Office of the President, the Ministry of Foreign Affairs, the National Information Technology Authority and the Uganda Police Force. They helped coordinate accreditation of the wider media and provided free ICT services to the conference. We often shared with them platforms as they led discussions on the conference agenda.

Feedback is vital

We regularly received feedback through our social media platforms, the call-ins to the talk shows and the meetings we had with our partners. This helped us stay on course and improve our campaign; it is no wonder that the #64CPC2019 adeptly trended in the top three news items both on the local and international scene for the duration of the conference.

Challenges faced

Against all the reasons to celebrate, there were some obstacles. For instance, the long budgetary process and cuts to the Subcommittee's budget were a major hiccup. Some key activities and procurements were dropped as a result. The absence of a media box greatly affected

the dissemination of content to radio and TV stations that would otherwise have transmitted it to the wider public in real time. Similarly, we did not have the desired international media coverage due to resources and procurement setbacks.

While the public's appetite for the CPC was whetted by the available information and the nostalgic airing of the 1967 CPC video and reprint of the 1967 Uganda Argus newspaper, they were still hungry for information and expected to get more from the delegates. However, it was difficult to get key personnel of the 64th CPC to speak to the media.

The accreditation process was also a deterrent in the execution of duty. Key technical staff and journalists were lumped as 'support staff' and this mired their access to important meeting venues, including the opening ceremony.

Nonetheless, we applied our skills and energies to a noble duty. Meeting Ugandans in the different parts of the country asking for more information on 64th CPC meant that the message had reached home. Seeing delegates pouring over pages of the Daily Bulletin during the conference was also gratifying. Certainly, we will not forget the tough lessons learnt, even as we revel in the successes registered.

Commonwealth Parliamentarians discuss how new technologies can facilitate democracy at 50th CPA Africa Regional Conference in Zanzibar

Commonwealth Parliamentarians from across Africa have discussed the impact that new technologies and e-platforms can have on democracy and help to increase the better functioning of Parliaments at the 50th Commonwealth Parliamentary Association (CPA) Africa Region Conference held in Zanzibar, Tanzania from 30 August to 5 September 2019. The CPA Africa Regional Conference was hosted by Hon. Zubeir Ali Maulid, Speaker of the Zanzibar House of Representatives and CPA Zanzibar Branch President, who welcomed Speakers, Deputy Speakers and Members of Parliament from 18 CPA Branches across the Africa continent.

The CPA Africa Regional Conference was officially opened by the President of Zanzibar and Chairman of the Revolutionary Council, His Excellency Dr Ali Mohammed Shien who said: *"Promoting the use and application of ICT by developing e-Parliaments in our countries is a vital step towards enhancing the three core functions of Parliaments, namely, legislation, representation as well as the power to monitor and oversee various government organs, which legislators simply call 'oversight'."* The President went on to call for members of the Commonwealth to invest in the promotion and use of ICT in local communities, with initiatives like the e-Parliament, to assist in promoting democracy.

Speeches at the opening ceremony were delivered by the Chairperson of the CPA Africa Region, Rt Hon. Justin B. Muturi, MP, Speaker of the National Assembly of the Republic of Kenya; the Chairperson of the CPA International Executive Committee, Hon. Emilia Monjowa Lifaka, MP (Cameroon); the Speaker of the National Assembly of Tanzania, Rt Hon. Job Yustino Ndugai, MP; and the Speaker of the East African Legislative Assembly, Rt Hon. Martin K. Ngoga.

The CPA International President Designate, Rt Hon. Rebecca Kadaga, MP, Speaker of the Parliament of Uganda also attended the CPA Africa Regional Conference and highlighted the Uganda Parliament's hosting of the forthcoming 64th Commonwealth Parliamentary Conference in September 2019.

The CPA Zanzibar Branch Chairperson Simai Mohamed Said noted that the CPA Africa Regional Conference was held under the theme



of 'E-Parliament: A Seamless Platform for Facilitating Democracy'. A number of workshops were held for delegates on topics including the use of ICT in strengthening public involvement in the legislative process; the use of social media in enhancing Parliamentarians' constituency engagement; the empowerment of women in Parliament; strategies to enable women's participation in decision-making; the implementation of youth policies as a tool to combat migration; and enhancing ICT use in providing life-changing solutions in rural communities.

The CPA Africa Regional Conference included a number of events and meetings including: Meetings of the CPA Africa Regional Executive Committee; Meetings of the Commonwealth Women Parliamentarians (CWP) Steering Committee; and Society-of-the-Clerks-at-the-Table (SoCATT) Africa Regional Steering Committee meetings. During the regional conference, Hon. Zainab Gimba, MP (Nigeria Federal) was elected as the new Chairperson for the Commonwealth Women Parliamentarians (CWP) Africa Region.

The 50th CPA Africa Regional Conference was held at the Dr Idris Abdulwakil Conference Hall and at the Zanzibar House of Representatives and was organised by the CPA Africa Regional Secretariat and CPA Zanzibar and Tanzania Branches.

CPA Benchmarks highlighted at IPU

The Commonwealth Parliamentary Association (CPA) Recommended Benchmarks for Democratic Legislatures was highlighted at an Inter-Parliamentary Union (IPU) two-day workshop in Geneva on developing indicators for democratic Parliaments and achieving the 2030 targets on Sustainable Development Goal 16.



Canadian research project into financial oversight and best practice in small states to include CPA Small Branches

Representatives of the SSHRC working group – including the Commonwealth Parliamentary Association (CPA) Headquarters Secretariat – looking at research and best practice in financial oversight in MENA and small states met at McGill University in Canada to discuss planning for the research project. The Canadian Social Sciences and Humanities Research Council (SSHRC) funded project will benefit the CPA Small Branches network.



41st CPA Canadian Regional Seminar in British Columbia focuses on strengthening democratic institutions and engagement



The Speaker of the Legislative Assembly of British Columbia, Hon. Darryl Plecas, MLA hosted the Commonwealth Parliamentary Association (CPA) Canadian Region 41st Regional Seminar in Victoria, British Columbia, Canada from 17 to 20 October 2019. This annual event brought together 40 delegates from ten provincial Assemblies and the Federal Parliament of Canada to discuss ways of building public trust, enhancing citizen engagement and enriching democratic institutions as part of the conference theme ‘*Strengthening Democratic Institutions and Engagement*’.

The seminar opened with a warm welcome and blessing from the Lekwungen Traditional Dancers. Dr Lorna Wanosts’a7 Williams, Professor Emeritus at the University of Victoria and former Canada Research Chair in Indigenous Knowledge and Learning, delivered the keynote address on indigenous languages. The address urged Commonwealth Parliamentarians to consider and discuss ways they could support indigenous languages in their institutions and communities. This topic was a timely subject given that the United Nations proclaimed 2019, the International Year of Indigenous Languages and that governments are increasingly recognising the importance of recovering and revitalizing indigenous languages to reconciliation and ensuring indigenous peoples’ most basic human rights. The remaining sessions of the seminar provided Parliamentarians with the opportunity to discuss other issues fundamental to parliamentary development.

During the second business session, *Interparliamentary Relations and Strategies: Opportunities and Best Practices*, Hon. Nathan Cooper, Speaker of the Legislative Assembly of Alberta, spoke about the significance of interparliamentary relationships and the Alberta experience – their Legislative

Assembly has twinning relationships with 14 overseas sub-national governments – while Hon. Marie-Claude Nichols, Member of the National Assembly of Québec, described the National Assembly’s bilateral and multilateral relations.

Speaker Plecas shared the findings from the first year of the *Speaker’s Forum on the Role of Members* in a session on reforming the culture of Parliament and how issues in the prevailing institutional structure impact on Members’ parliamentary responsibilities. In his presentation for this session, Hon. Hal Perry, MLA, Deputy Speaker of the Legislative Assembly of Prince Edward Island, highlighted challenges within the current political environment.

In a session on respectful workplace policies, Hon. Scott Reid, MHA, Acting Speaker of the House of Assembly of Newfoundland and Labrador, outlined their Assembly’s experience with building a respectful work environment and implementing a four-day training program customised for elected officials.

Hon. Elizabeth Smith-McCrossin, Member of the Nova Scotia House of Assembly, shared that Assembly’s process to develop a complainant driven Member-to-Member sexual harassment code to address allegations of non-criminal sexual harassment.

Additional business sessions included: *Strengthening Democratic Institutions*, during which Hon. Laura Ross, MLA, Member of the Legislative Assembly of Saskatchewan and the CWP Canada Chair, explored topics related to improving diversity and representation; and, *Access to Information and Disclosure: Building Parliamentary Transparency*, where Senator Hon. Jim Munson and Hon. Chantal Soucy, MNA, Deputy Speaker of the National Assembly of Québec, discussed access to information and public disclosure as they apply to parliamentary jurisdictions.

CPA Tasmania and Samoa Branches cement their twinning partnership with clock unveiling in new Parliament Building

The CPA Tasmania Branch and Parliament of Tasmania have presented the CPA Samoa Branch and the Legislative Assembly of Samoa with a specially commissioned clock made from Huon pine to commemorate the opening of the new \$25 million *Maota Fono* (Parliament Building) jointly funded by the Governments of Australia and Samoa earlier this year.

The new clock was installed on the wall of the main chamber above the entrance into the new *Maota Fono* and was unveiled by the Speaker of the House of Assembly of the Parliament of Tasmania, Hon. Sue Hickey, MP and the Prime Minister of Samoa, Hon. Tuilaepa Dr Sa'ilele Malielegaoi during a visit to Samoa in August 2019. Cabinet Ministers and Members of the Parliament of Samoa witnessed the unveiling of the clock and the Speaker of Tasmania was accompanied by the President of the Tasmania Legislative Council, Hon. Craig Farrell, MLC.

The clock unveiling ceremony also included the presentation of graduation certificates to Samoan parliamentary staff who work with the Office of the Clerk of the Legislative Assembly, who have recently completed the University of Tasmania's Parliamentary Law Practice and Procedure Graduate Certificate Course.

Both the Speaker and the President of the Parliament of Tasmania addressed Members of the Samoan Parliament, dignitaries, officers and staff of the Parliament and guests.

The Speaker of the House of Assembly thanked the Legislative Assembly of Samoa for the invitation to present the clock and noted that the new *Maota Fono* recognised and reflected the rich culture and tradition of Samoa as well as being a place for debate and law making.

The President of the Legislative Council of the Parliament of Tasmania said: *"Our gift is a clock made from Huon pine and it has been designed to fit in with your new building. Huon pine is a timber that is native to our home state, Tasmania. It is one of Australia's oldest lived species. While the clock itself will count the seconds, minutes and hours, the timber represents the relationship between our two islands. The timber is well known for its rich gold colour and strength; making it one of the most desirable furniture timbers."* The President said he hoped the gift will nurture the relationship between the two Parliaments, allowing it to *"grow and be as strong and long lasting as the precious natural timber that the clock is made of."*

The Prime Minister of Samoa, Hon. Tuilaepa Dr. Sa'ilele Malielegaoi, MP thanked the Parliament of Tasmania for the gift and said the twinning relationship between the Parliaments of Samoa and Tasmania commenced in 2007 and was an initiative of the Commonwealth Parliamentary Association. The Prime Minister said: *"Through this arrangement Samoa has benefited immensely through several initiatives such as the reciprocal visits by Members of Parliament of the two Parliaments. This process has also seen some of those Samoa Members participate as observers as part of those proceedings in the chambers and the Committee work in the Parliament of Tasmania."*

In 2007, the Commonwealth Parliamentary Association Regional Secretariat established the CPA Australia-Pacific



Photo credits: Vaitogi Asuisu/Matafeo/Samoa.

Above left: Samoa Prime Minister, Hon. Tuilaepa Dr Sailele Malielegaoi presents a gift to the Speaker of the House of Assembly of the Parliament of Tasmania, Hon. Sue Hickey MP

Above right: The Speaker of the House of Assembly of the Parliament of Tasmania, Hon. Sue Hickey, MP, presents undergraduate Marcus Ofoia with his certificate.

Above: The unveiling of the clock (on the wall above) made from Huon pine at the Parliament of Samoa

twinning programme to foster greater cooperation and support between Parliaments from the CPA Australia Region and CPA Pacific Region. Under this programme, the CPA Tasmania and CPA Samoa Branches committed to work actively towards developing support between the two Parliaments including regular staff exchanges and training activities that promote parliamentary development.

The Prime Minister of Samoa also thanked the Government of Australia for co-funding the new Parliament Building and their willingness to financially support the construction of the new office of Parliament. The official opening of the new *Maota Fono* (Parliament Building) at *Tiafau Mulinuu* was held on Thursday 14 March 2019. The new *Maota Fono* symbolises Samoa's long-standing and enduring partnership with the Government of Australia. The design of the new Parliament building makes strong reference to Samoan traditional architectural form. It reflects a typical Samoan meeting *fale* and the Chamber ceiling is inspired by Samoa's native flower-the *teuila*. The new Parliament Building replaces the previous *Maota Fono* which was a gift funded by the Government of New Zealand in 1972 in celebration of Samoa's ten years of independence.



CPA New Zealand delegation focus on development and women's representation during visits to CPA Tonga and CPA Fiji Branches

A parliamentary delegation from the CPA New Zealand Branch and Parliament of New Zealand Parliament has focused on development issues and women's representation during a visit to the Pacific Region.

Led by the Speaker of the Parliament of New Zealand, Rt Hon. Trevor Mallard together with Adrian Rurawhe, MP; Hon. Tim Macindoe, MP; Jo Hayes, MP; and Harete Hipango, MP, the delegation first visited the CPA Tonga Branch and Parliament of Tonga from 28 to 29 October 2019, hosted by the Lord Speaker of the Legislative Assembly, Lord Fakafanua. The New Zealand delegation visited the Legislative Assembly of Tonga, viewed the temporary compound and received a briefing on the proposed Parliament Rebuild during a visit to the old Legislative Assembly Office, Nuku'alofa which was destroyed by hurricane damage in February 2018.

The delegation went on to meet with two Tonga women Members of Parliament - Losaline Mā'asi, MP and Hon. 'Akosita Lavulavu, MP, Minister for Infrastructure – to discuss the challenges facing women's political and economic empowerment in small jurisdictions like Tonga.

The delegation also met with Youth Parliamentarians, representatives from Girls Take Over Parliament and Tonga Youth Leaders before visiting a sports development project at the Vaini Government primary school that is supported by the New Zealand Government and had a tour of the Tupou College Technical, Vocational and Education Training Programme, funded by the New Zealand Aid Programme.

The New Zealand delegation then travelled to the CPA Fiji Branch and Parliament of Fiji from 30 October to 1 November 2019 and were welcomed by the Speaker of the Fiji Parliament, Hon. Ratu Epeli Nailatikau before meeting a wide range of Fijian Members of Parliament at a 'Talanoa' session where they discussed the challenges and opportunities available to Parliamentarians.

New Zealand MPs also met with women leaders in Parliament and visited the Fiji Women's Crisis Centre to discuss women's



representation in Parliament and socio-economic empowerment before attending a special fundraising event for the Pink Ribbon Breast Cancer charity organised by the Commonwealth Women Parliamentarians group in the Fiji Parliament.

The delegation also met with New Zealanders living and working in Fiji at a reception hosted by the New Zealand High Commissioner to Fiji, Jonathan Curr.

The Speaker of New Zealand, Rt Hon. Trevor Mallard said *"The Pacific Region is incredibly important to New Zealand. Our Parliament provides practical and technical support to Pacific Parliaments to strengthen their democracies, and this delegation has looked at where we can focus our capacity-building assistance. We have also gained insights into the current political and economic landscape in Tonga and Fiji, while making personal connections and building relationships with our parliamentary colleagues."*

This is the second recent delegation visit by the CPA New Zealand Branch to the Pacific Region, following a visit to Vanuatu and the Solomon Islands last year.

CPA Benchmarks highlighted at 14th Workshop of Parliamentary Scholars and Parliamentarians

The Commonwealth Parliamentary Association participated in the 14th Workshop of Parliamentary Scholars and Parliamentarians held in partnership with the Inter-Parliamentary Union (IPU) and the Centre for Legislative Studies at the University of Hull. Delegates at the event held at Wroxton College, Oxfordshire, UK heard from CPA Consultant, Anthony Staddon about the CPA *Recommended Benchmarks for Democratic Legislatures* www.cpahq.org/cpahq/benchmarks.



Photo: Amanda Riley/Wroxton Workshop

Focus on financial scrutiny in Commonwealth Parliaments at CAPAC regional workshop in Malaysia

Commonwealth Parliamentarians from the CPA Asia and South-East Asia Regions have gathered for the second regional workshop of the Commonwealth Association of Public Accounts Committees (CAPAC) in Kuala Lumpur, Malaysia from 1 to 3 August 2019. The three-day workshop was opened by Hon. Dato' Mohamad Ariff bin Md Yusof, Speaker of the Dewan Rakyat at the Parliament of Malaysia and the opening keynote was given by Hon. Dato' Dr Noraini Ahmad, MP, Chair of the Malaysia Public Accounts Committee and the outgoing Chairperson of the Commonwealth Women Parliamentarians (CWP).

The workshop was attended by the Chairs, Members and Clerks from six Public Accounts Committees (PACs) from the regions and Members attended from Bangladesh, Hong Kong, Malaysia, the Maldives, Pakistan and Sri Lanka. Delegates were brought together in order to strengthen regional cooperation and to help PACs from the two regions to become more effective in their remit to scrutinise the value for money of public expenditure and hold their governments to account for the delivery of public services.

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

The workshop included a keynote address via video message from Meg Hillier, MP, the Chair of the UK Parliament's Public Accounts Committee and further sessions looked at Committee hearings and effective questioning techniques. The final day focused on fostering delegates' ability to communicate and collaborate with national and international partners and Members heard from the Auditor-General of Malaysia, YBhg. Dato' Nik Azman Nik Abdul Majid about the audit process in relation to government.



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

The Commonwealth Association of Public Accounts Committees (CAPAC) was constituted in June 2014 by the Chairs and Members of Public Accounts and equivalent financial Committees of Commonwealth Parliaments and is designed to support the work of Commonwealth Public Accounts Committees in promoting good governance and financial scrutiny.

Tynwald hosts inaugural CPA Crown Dependencies Network event in the Isle of Man

Members of the CPA Branches and the Parliaments of Jersey, Guernsey and the Isle of Man gathered at the Legislative Buildings in Douglas, Isle of Man on 17 September 2019 for the inaugural CPA Crown Dependencies Network event. Held under the auspices of the Commonwealth Parliamentary Association, the inaugural event is part of a new network, designed to bring together Parliamentarians from the Isle of Man, Jersey and Guernsey to share their experiences and to discuss matters of common concern.

Five States Deputies and one officer from each of the States of Jersey and Guernsey travelled to the Isle of Man for the event. From Guernsey: Deputy Mark Dorey, Deputy Jennifer Merrett, Deputy Barry Paint, Deputy Robert Prow, Deputy Dawn Tindall and Senior Deputy Greffier Mr Simon Ross; and from Jersey: Senator Sarah Ferguson, Deputy Gregory Guida, Deputy David Johnson, Deputy Hugh Raymond, Deputy Geoffrey Southern, and Assistant Greffier Mr Tim Oldham. The Members of the Tynwald (Isle of Man) delegation were: Ralph Peake, MHK (Head of delegation); Clare Barber, MHK; Martyn Perkins, MHK; Jane Poole-Wilson, MLC; Chris Robertshaw, MHK; and Hon. Chris Thomas, MHK.

The delegates also met with Hon. Steve Rodan, MLC, President of Tynwald and President of the Legislative Council and Hon. Juan Watterson, SHK, Speaker of the House of Keys – both Members are Joint CPA Isle of Man Branch Presidents.

During the three-day programme, the delegates were shown around the Legislative Buildings in Douglas and attended meetings with Members and officers responsible for various public services on topics of particular interest to them. The programme also included a plenary meeting during which the three delegations will debate how the Legislatures of the Crown Dependencies can work better together.





Commonwealth Women Parliamentarians discuss gender equality and empowering women and girls at 12th Commonwealth Women's Affairs Ministers Meeting in Kenya

Commonwealth Women Parliamentarians from 29 Commonwealth countries attended the 12th Commonwealth Women's Affairs Ministers Meeting (WAMM) in Nairobi, Kenya to join forces on achieving gender equality and empowering women.

The Commonwealth Women's Affairs Ministers agreed on actions to accelerate gender equality to be presented to Commonwealth leaders when they meet in Rwanda for the Commonwealth Heads of Government Meeting (CHOGM) 2020 next year.

The approaches agreed by Ministers are being put forward for consideration by leaders when they meet for the CHOGM 2020. The actions can directly benefit 1.1 billion women and girls living in the Commonwealth and include:

- increasing women's participation in decision-making and leadership;
- ensuring access to at least 12 years of free quality education for girls;
- putting in place and upholding comprehensive sexual and reproductive health rights for women and girls;
- providing resources to enforce laws which protect women from violence in the workplace, public spaces and in their homes; and
- focusing on women and girls in national plans for addressing climate change and disaster.

Commonwealth Ministers agreed that implementation of these actions would accelerate progress towards achieving gender equality targets in the 53 member countries of the Commonwealth by the UN-agreed 2030 deadline for the 2030 Agenda for Sustainable Development.

The Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC said: *"This meeting has shown the real value of multilateral cooperation among such a diverse family of nations as the Commonwealth. We are seeing really encouraging progress along the road towards achieving gender equality in our member countries. Mobilising collective political will is key to changing the pace of global efforts on gender equality and working together in the Commonwealth we are able to harness the collective potential of 53 member countries for what is such a dynamic driver of sustainable development."*

An all-female panel opened the WAMM in Nairobi. The Commonwealth Secretary-General was joined by Cabinet Secretaries in the Government of Kenya, Professor Margaret Kobia and Amina C. Mohamed; HRH The Countess of Wessex; and United Nations Population Fund Executive Director, Natalia Kanem.

During the meeting, Ministers reaffirmed the Commonwealth vision for ending inequalities, and develop the collective Commonwealth strategy for moving towards achieving gender



Photo credits: Commonwealth Secretariat.

equality goals during the decade 2020 to 2030. Included in the strategy are progressive provisions for enabling more women to move into leadership positions, for moving towards universal access to minimum periods of free education and for strengthening access to modern family planning.

The Countess of Wessex said that Her Majesty Queen Elizabeth II, Head of the Commonwealth, was *'delighted'* that the meeting to further women's rights was being held and would await news of its *'full and productive outcomes'*. Describing herself as a passionate advocate for the Commonwealth, she said: *"I will continue to support and champion your work in tackling gender inequality across the Commonwealth. This will not only secure a more equal platform on which women and girls can build, but deliver an empowered future for the women of our Commonwealth family."*

Commonwealth Ministers consider a summary of the progress member countries have made on the four Commonwealth priorities for gender equality: women in leadership, women's economic empowerment, ending violence against women and girls, and gender and climate change. The latest study shows Africa steps ahead of other Regions for its proportion of elected female leaders. Out of 13 Commonwealth countries that have achieved 30% or more women Members of Parliament, six are in Africa. Rwanda is the only country to achieve gender parity with 55.7% of women in both houses of Parliament. The Commonwealth average for Members of Parliament who are women stands at 23% which is still short of the global target of 30%. However, more promisingly, in education, a girl is as likely as a boy to attend primary school.

WAMM has been held every three years since 1985 and provides the opportunity for Commonwealth Ministers, senior officials, civil society, private sector and partner agencies to explore and agree on workable strategies and solutions to tackle gender disparities. The next meeting will be in the Caribbean in 2022.

Commonwealth Women Parliamentarians in Africa Region encourage more women to participate in elections at workshop in Tanzania

Commonwealth Women Parliamentarians (CWP) from the CWP Africa Region have held a CWP Africa Region Gender Sensitization Workshop on the theme of 'Advancing Women's Participation in Electoral Processes' in Arusha, Tanzania from 25 to 29 October 2019.

The seminar was opened by Her Excellency Samia Suluhu Hassan, Vice-President of the United Republic of Tanzania and the seminar was addressed by the newly elected International Chairperson of the Commonwealth Women Parliamentarians (CWP), Hon. Shandana Gulzar Khan, MNA of the National Assembly of Pakistan, her first official visit since her election.

Following the seminar, the CWP Chairperson said: "We have discussed many relevant issues to all Commonwealth Women Parliamentarians globally at this seminar including violence during elections, school curricula, civic education and many other things that touch on the theme of elections, before, during and after. It has been a pleasure for the Commonwealth Women Parliamentarians to interact with the entire CWP Africa Region, powerful women, women of talent, women of immense experience. We take lessons back with us to the CPA Headquarters to share with the other CWP Regions, where in unity we have to shape the future of women all over the world through the Commonwealth Women Parliamentarians, through our strengths, through our integrity, through our experience. Bringing more women into Parliament has been one of the most important tasks of the CWP and we want to move a few steps forward to increase the number of women in policy making, the kind of influence women have in Parliament and to ensure that whatever policies we make eventually leads to the economic growth and empowerment of women globally."



Also in attendance at the seminar were: Rt Hon. Martin Ngoga, MLA, Speaker of the East African Legislative Assembly; Rt Hon. Job Ndugai, MP, Speaker of the National Assembly of Tanzania; Hon. Tulia Ackson, MP, Deputy Speaker of the National Assembly of Tanzania; Hon. Dr Zainab Gimba, MP, CWP Africa Regional Chairperson (Nigeria); Hon. Mrisho Gambo, Regional Commissioner of Arusha; Mr Stephen Kagaigai, Clerk of the National Assembly of Tanzania and CPA Africa Regional Secretary.

To view the CWP Chairperson's reflections at the CWP Africa Region Gender Sensitization Workshop visit <https://youtu.be/A5uWkBotf1o>. For images of the event visit www.cpahq.org/cpahq/flickr.

Commonwealth Women Parliamentarians encourage gender equity at 2nd Pacific Women in Power Forum

More than 40 participants from 14 Pacific island countries and territories in the CPA Pacific Region as well as Members from Australia and Malaysia, attended the 2nd Pacific Women in Power Forum as an opportunity to share information and best practices on a range of key issues that would assist current women MPs in their leadership roles, foster international parliamentary networks and provide a mentoring and support programme. The Deputy Speaker of the New Zealand Parliament, Hon. Anne Tolley, MP in her opening remarks said: "In 1995, when the Beijing Conference was held, women only accounted for 11.3% of Parliamentarians. Today, this proportion has more than doubled, reaching 24.5%. We are moving in the right direction but, at this pace, it would take another 50 years before we reach gender parity. The good news is that a growing number of countries across different regions have shown that reaching the goal of gender parity is possible."

The four-day conference was organised by the United Nations Development Programme (UNDP) with funding from the Australian Government's Department of Foreign Affairs and Trade (DFAT) with support from the Governments of Japan and New Zealand. The conference sessions covered specific thematic areas including; empowering the Pacific Female Parliamentarian, Mastering the Skills of Effective Communication and Parliament taking action on Violence against Women and Girls.

Commonwealth Women Parliamentarians (CWP) Australia Region Chair Michelle O'Byrne, MP (Tasmania) spoke at the forum about Parliaments as 'safe spaces' for women and the elimination of bullying in the workplace.

The Forum took place in Brisbane, Australia and the CPA Branches represented included: Cook Islands, Fiji, Nauru, New Zealand, Niue, Palau, Samoa, Solomon Islands, Tuvalu and Tonga.



CWP Jersey hosts international network of female Parliamentarians

The 6th Annual British Islands and Mediterranean Region (BIMR) Commonwealth Women Parliamentarians Conference was hosted in Jersey Channel Islands on Thursday 19 and Friday 20 September 2019. The Commonwealth Women Parliamentarians (CWP) is an international network of female Parliamentarians who are Members of the Commonwealth Parliamentary Association. The event was held in Jersey as part of celebrations to mark the Island's 100-year anniversary since the first women were able to vote.

The overriding theme of the event was *'The next 100 years'*, looking at how female politicians can ensure diversity and equality in Commonwealth Parliaments. The CWP regional conference explored ways to ensure the voices of women are heard over the next century, especially within the political arena. In addition, attendees had the opportunity to share their experiences of being a woman in politics; and discuss specific topics regarding diversity in representation, women in technology and how to build a sustainable political future.

Chair of the Institute of Directors, Charlotte Valeur, was the keynote speaker, discussing equality for women in positions of leadership. Charlotte was appointed as Chair of the Institute of Directors in September 2018. Originally from Copenhagen and speaking six languages, Charlotte is a specialist in corporate governance, founding and running her own advisory firm, the Global Governance Group. She is also a keen advocate for diversity in the boardroom, and is the founder of Board Apprentice a non-profit organisation which provides individuals hands-on experience at the very top of business, and has been cited in the UK Government's recent reviews on ethnic and gender diversity in UK boardrooms as a resource for effecting real change.

A play titled *'The Unforgotten Figures'* was produced especially for the conference's opening ceremony and, as a result, is due to be adapted and toured in other BIMR jurisdictions. The play brought together six women from various points in Jersey's history who were key players in developing equality for women including:

- Florence Boot (b.1863 - d.1952) - *one of the founders of Boots, one of the largest pharmaceutical companies in the UK, and one of Jersey's greatest businesswomen and philanthropists.*
- Lilian Grandin (b.1876 - d.1924) - *Jersey's first female doctor who set up a clinic and leper colony in China.*
- Elinor Glyn (b.1864 - d.1943) - *a novelist who pioneered mass-market women's erotic fiction.*
- Claude Cahun (b.1894 - d.1954) and Marcel Moore (b.1892 d.1972) - *political and surrealist photographers and writers. During the Occupation of Jersey by the Nazis, the two risked their lives by distributing anti-Nazi propaganda to the German soldiers.*
- Caroline Trachy (b. circa 1870 - d.1952) - *the first woman to stand for election in Jersey.*

Deputy Jess Perchard, who is the CWP Jersey Branch representative, said: *"I was keen for Jersey to host this year's conference during the year of our Island's suffrage centenary celebrations. In July, my fellow female States Members and I pledged to keep fighting for equal rights and opportunities for all – not just women – and that is exactly what this year's conference addressed. Women have come a long way over the past 100 years, but they and minority groups still have a long way to go to achieve equality in the political sphere. I hope that this conference produced measurable plans and objectives so that we can achieve true equality within the next century."*

Attendees travelled to Jersey from across the Commonwealth and CPA British Islands and Mediterranean Region, including as far afield as the Falkland Islands and St Helena.



3rd Commonwealth Women Parliamentarians (CWP) Australia Region Conference in South Australia

From 8 to 10 October 2019, the 3rd Commonwealth Women Parliamentarians Australia Region Conference was hosted by the Parliament of South Australia in Adelaide. The CWP conference is a non-partisan event for women Parliamentarians and this year was held as part of celebrations of 125 years of Women's Suffrage in South Australia.





COMMONWEALTH SCHOLARSHIPS: BUILDING A BETTER FUTURE FOR GENERATIONS TO COME



Rt Hon. Nick Gibb, MP* is the UK Minister of State at the Department for Education (Minister for School Standards). He was elected as the UK Member of Parliament for the constituency of Bognor Regis and Littlehampton in 1997. He studied law at Durham University, and he was formerly a chartered accountant specialising in corporate taxation with KPMG. In his political career, he served as Shadow Minister for Schools from 2005 until 2010, and as Minister of State for Schools from May 2010 until September 2012 before being appointed to his present role in 2014.

For seven years and counting, I have had the honour of serving as a Minister in the UK Department for Education. In that time, I have championed the use of multilateral fora, such as the Commonwealth, to improve education outcomes for children, young people, and adults on a global scale, using our collective influence on an international platform. With six in ten of our 2.4 billion Commonwealth citizens aged under 30 years old, we simply must work together to ensure that we provide equal access to a quality education to all. On a daily basis, our continued education collaboration promotes understanding and cultural links amongst our vast Commonwealth family, and this is an agenda that I am proud to support.

In April 2018, the UK hosted the 25th Commonwealth Heads of Government Meeting (CHOGM) in London. It was an historic event; the largest summit of its kind in our country's history. Leaders agreed ambitious policy objectives, setting a clear agenda to build a future that is fairer, more prosperous, sustainable and secure. Member states made a landmark pledge to ensure all girls and boys across the Commonwealth have access to at least twelve years of quality education by 2030, with the UK committing £212 million.

One initiative announced at CHOGM 2018 that I am particularly excited about, and which I have raised with many of my Commonwealth ministerial counterparts over the last 18 months, is the Queen Elizabeth Commonwealth Scholarship scheme. Anyone who has ever had the chance to undertake a scholarship, or even to simply meet an alumnus of a scholarship

scheme and hear about their experience, will be acutely aware of the life-changing opportunities that scholarship programmes can offer.

The Queen Elizabeth Commonwealth Scholarships (QECS) are unique. Managed and administered by the Association of Commonwealth Universities, the scholarships facilitate cross-Commonwealth mobility, from Canada to Tanzania, Botswana to Papua New Guinea, and Kenya to Trinidad. No other international programme provides the opportunity to study in as many locations across the Commonwealth. The scheme is multifaceted; it supports sustainable development across the Commonwealth, strengthens Commonwealth networks, and supports the development of higher education systems through the sharing of knowledge across multiple borders. What's more, Queen Elizabeth Commonwealth Scholarships help fulfil our global commitment to the Sustainable Development Goals (SDGs),

directly contributing towards SDG 4.B by expanding the number of scholarships available to developing countries, and offer an innovative mechanism for supporting south-south and north-south mobility.

The UK was proud to be one of the original contributing countries to the Commonwealth Scholarship and Fellowship Plan endowment fund, set up in 2009 to fund these scholarships. Over the last ten years we have marvelled at how young people across the Commonwealth have utilised these study opportunities to lead the charge on a huge range of vital global issues; from making technology safe and productive, to addressing issues of conflict and inequality.

To date, there have been 81 recipients of Commonwealth Scholarships in low- and middle-income countries. These young people have studied in locations as diverse as Sri Lanka and South Africa, in subjects from renewable energy to sustainable farming. We have seen first-hand the



In the 60 years since its inception, 35,000 individuals have benefited from Commonwealth Scholarships and gone on to transform their communities, societies and nations. Here, a Queen Elizabeth Commonwealth Scholar from Ghana collects mosquito larvae from rice fields as part of his Master's degree at a university in Kenya.

*At the time of writing this article, Rt Hon. Nick Gibb was the UK Member of Parliament for Bognor Regis and Littlehampton - however by the time of publication, the UK Parliament had been dissolved until the General Election and therefore, there were no UK Members of Parliament during the election period.



Case Study: The Parliamentarian's Story

Hon. Josh Frydenberg, MP is the Treasurer of Australia and Deputy Leader of the Liberal Party. He was awarded a scholarship through the Commonwealth Scholarship Commission (CSC) in the UK, which manages the UK's contribution to the Commonwealth Scholarship and Fellowship Plan.

"My Commonwealth Scholarship provided me with a special opportunity to study and live at Oxford University. Being exposed to some of the world's leading academics and participating in the rigorous MPhil degree in International Relations helped prepare me for the policy work that I am involved in as a Parliamentarian. The discipline required to complete the degree and the personal networks built with other students has also been important.

My time at Oxford University gave me an appreciation of some of the complex debates underway in Europe and helped broaden my world view. It is with the Oxford experience now behind me that I look forward to continuing to make a positive contribution to my community on local, national and international issues."



transformational impact of the scheme on the lives of individuals and also, more importantly, on their wider communities and societies, thanks to the skills and knowledge gained. Last year, special awards addressing specific global and societal issues were introduced.

For example, for Master's degrees in Climate Resilience, helping share expertise between those countries on the front line of climate events in the Caribbean and Pacific, and a Global Public Health award hosted in Mauritius, opening up the expertise of a small nation to the wider Commonwealth. A new country also joined the scheme to host – Malaysia – which is proving very popular with applicants.

The QECS sits as part of the family of Commonwealth Scholarships, which any Commonwealth country is able to host. Evidence has shown that Commonwealth Scholarships alumni go on to make hugely valuable contributions to their

local and national communities, applying the skills and knowledge gained as part of their scholarship experience. A 2014 survey of alumni found that up to 92% of scholars return to live in the region in which they grew up. These returnees go on to become decision-makers and influencers in their home countries – leading political and educational systems, business, and civil society. 25% of alumni reported having held public office in their home countries, and 45% claimed they have been able to influence government policy in their specialist areas.

This is why we knew that the UK's hosting of CHOGM 2018 was an unmissable opportunity to further bolster QECS on an international stage, to reinstate the UK's commitment to the programme and ensure that it can reach more of the brightest citizens across the Commonwealth, who may not otherwise be able to access opportunities to study abroad. QECS scholars are helping

to effect positive change across the globe and create solutions to the shared challenges we face, and in our view, there is no better return on our investment than this.

The UK Department for Education was delighted to be able to commit a further £5 million to expand QECS, as announced by HRH The Duke of Sussex at CHOGM 2018 in London. With this new funding, an additional 150 students will be able to benefit from a Queen Elizabeth Commonwealth Scholarship by 2025. But we must not stop there. The first application round under the newly expanded scheme, open from December 2018 to January 2019, saw a 75% increase in applications compared to previous cycles. There is therefore a huge demand for these opportunities, and we Commonwealth governments should do all we can to ensure a pipeline of opportunities for future generations.

From speaking to colleagues

from across the Commonwealth, I am aware of the support that there is for this scheme, and that the value of it - in development, innovation, and soft power terms - is recognised. But as we approach CHOGM 2020 in Rwanda, I would urge my fellow Commonwealth Parliamentarians to speak to their governments, to impress upon them the benefits of the QECS programme, and the value that this programme can bring to our young people and our societies, at local, national, and Commonwealth levels. Your support for this scheme will help secure a safer, fairer, healthier, and more tolerant future for generations to come, a vision that I believe is shared all across our Commonwealth of Nations. I hope therefore, that this scheme will continue to go from strength to strength and that through QECS, we can together create a Commonwealth community of talented individuals committed to forging a better future for generations to come.

Queen Elizabeth Commonwealth Scholarships

The Queen Elizabeth Commonwealth Scholarships form part of the Commonwealth Scholarship and Fellowship (CSFP) – a unique international programme through which Commonwealth countries offer university scholarships and fellowships to citizens of other member states. The plan, which celebrates its 60th anniversary this year, was established by Commonwealth Education Ministers at their first conference in 1959. Since then, more 35,000 individuals have benefited and gone on to transform their communities, societies and nations.

Through the CSFP, all Commonwealth nations can make scholarships available to other Commonwealth citizens, thereby creating unique educational opportunities and forging lasting links with other countries. Currently, Gibraltar, India, Malaysia, Malta, New Zealand, Pakistan, Singapore, and the UK all offer opportunities to study in their countries. But the scheme has immense potential for further growth.

Recognising this, Ministers at the 20th Commonwealth Conference of Education Ministers in 2018 agreed to expand the Queen Elizabeth Commonwealth Scholarships scheme through new commitments to the CSFP endowment fund.

The Association of Commonwealth Universities, as custodians of the CSFP, are working with governments of the Commonwealth to coordinate this programme of growth, already securing commitments from Fiji and the UK.

To find out more, please email the ACU via faye.taylor@acu.ac.uk.



**Queen Elizabeth
Commonwealth
Scholarships**

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); Dr Jayadev Sahu (Parliament of India); Mr Ravindra Garimella (Parliament of India); Erin Virgint (Federal Parliament of Canada); Luke Harris (Parliament of New Zealand); Katey Stickle (Legislative Assembly of British Columbia); and Michael Berry (Parliament of the United Kingdom).

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THIRD READING: BRITISH COLUMBIA

Community Safety Amendment Act, 2019

Bill 13 amends the *Community Safety Act* to address community safety needs in British Columbia related to gang and gun violence and the opioid crisis. The amendments are designed to support police officers in disrupting the supply of deadly drugs, and to increase support for initiatives proven to prevent and reduce crime.

During second reading debate, **Hon. Mike Farnworth**, Minister of Public Safety and Solicitor General explained that the *Community Safety Act* allows citizens to file confidential complaints with a provincial director of community safety about properties where specified unlawful activities impact neighbours. The amending legislation adds two new specified activities as grounds for submitting a complaint: illegal gaming and gambling; and the possession, sale and storage of property obtained by crime. He further noted that the amendments create a process for introducing previous criminal convictions as evidence in applications for community safety orders. These orders can be issued by the Supreme Court of British Columbia, upon application from the director of community safety, and may require a person to vacate a property and prohibit that person from re-entering or reoccupying it, terminate a tenancy agreement, or require the director to close a property for up to 90 days.

Mike Morris, MLA and Official Opposition

Critic for Public Safety and Solicitor General, agreed that the amendments will help to address unlawful activities on problem properties but noted that further resources are necessary for the legislation to be effective, especially in smaller communities, as investigations of this type can be labour-intensive. He particularly expressed concerns about the role of municipalities in enforcing community safety orders and about having the director of community safety, a central authority, responding to applications from around the province.

The *Community Safety Amendment Act, 2019* received Third Reading on 7 October 2019.

Gaming Control Amendment Act, 2019

On 8 October 2019, Attorney-General, **Hon. David Eby, QC**, introduced Bill 36, *Gaming Control Amendment Act, 2019*. The amending Bill enables the sharing of annual provincial gaming revenue with First Nations in British Columbia through a limited partnership agreement. It also facilitates the appointment of a First Nations nominee to the B.C. Lottery Corporation's board of directors.

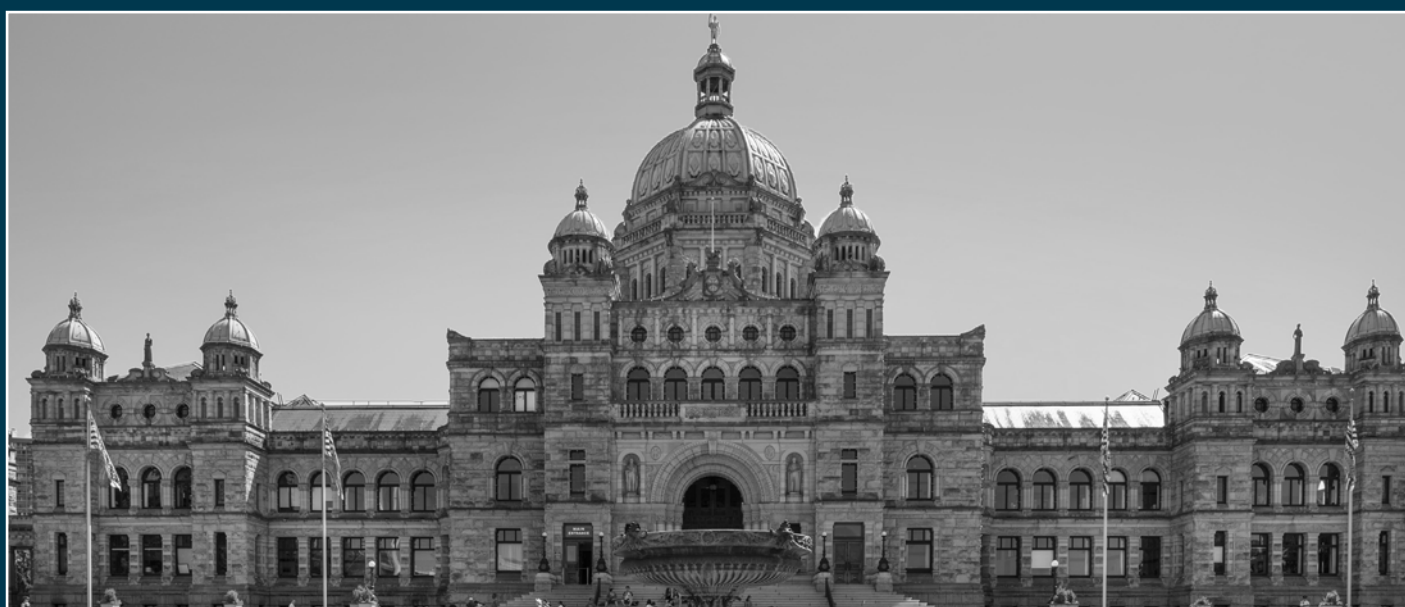
During second reading debate, the Attorney-General stated that the province recently concluded an interim agreement that provides two years of funding to the B.C. First Nations Gaming Revenue Sharing Limited Partnership for distribution to eligible First

Nations in British Columbia. He explained that currently, the Gaming Control Act requires the net income of B.C. Lottery Corporation to be paid into the consolidated revenue fund; the proposed amendments will facilitate the payment of seven percent of the actual net income to the limited partnership once a long-term agreement is in place. The total annual amount of the statutory entitlement is estimated to be \$100 million per year for a period of 23 years.

Official Opposition critic for Liquor, Gaming, and ICBC, **John Yap, MLA** agreed with the need to share revenue with First Nations but expressed concern about the proposed framework in which funds would go to the limited partnership, who would then take funding applications, rather than directly to First Nations communities. He also had questions about how this agreement would affect other grant programs, especially Community Gaming Grants, and about government's consultation with First Nations regarding this program.

A Member for the Third Party, **Adam Olsen, MLA** expressed his support for the amending legislation noting that it fulfills a commitment made in the 2019 provincial budget. He described the proposed legislation as providing an important funding opportunity for First Nations, noting that it would allow communities to invest funding where they see fit.

The *Gaming Control Amendment Act, 2019* received Third Reading on October 24, 2019.



43RD CANADIAN FEDERAL GENERAL ELECTION

On 11 September 2019, Rt Hon. Justin Trudeau, MP, asked Her Excellency Rt. Hon. Julie Payette, Governor-General of Canada, to dissolve Parliament, launching the 43rd federal election. Canada's last federal election was held in October 2015

During the election period, a new process was used to organise the Federal Leaders' debates. Created in 2018, the independent Leaders' Debates Commission organized two Leaders' debates - one in each official language. In the past, Leaders' debates were organised by a consortium of the main television networks. This year's debates were streamed on over a dozen online platforms and aired on major English and French television networks. In addition to English and French, the debates were translated into eight additional languages (for example, Ojibwe, Inuktitut, Punjabi and Mandarin).

Following a 40-day election period, the Federal Election was held on 21 October 2019.

43rd General Federal Election Results

Over 17 million Canadians voted, resulting in a voter turnout rate of 65.95%, a decrease from the 2015 election which saw a 68.3% turnout.

None of the Federal political parties hit the 170-seat threshold for a majority government. The Liberal Party of Canada won the most seats, with a total of 157. This is a decrease from the 184 seats won in 2015. As such, Rt Hon. Justin Trudeau, MP will continue to serve as Prime Minister of Canada with a minority government.

The Conservative Party of Canada, led by Hon. Andrew Scheer, MP won 121 seats, an increase from the 99 seats won in 2015.

The Bloc Québécois, led by Yves-François Blanchet, MP won 32 seats, an increase from the 10 seats won in the 2015

election. As a result, the Bloc Québécois regains its status as a recognised party in the House of Commons.

The New Democratic Party (NDP), led by Jagmeet Singh, MP won 24 seats, a decrease from the 44 seats won in 2015.

The Green Party, led by Elizabeth May, MP won 3 seats, an increase from the one seat won 2015.

Former Cabinet Minister and Attorney-General of Canada, Hon. Jody Wilson-Raybould, MP won a seat as an independent in Vancouver Granville.

From a regional perspective, the Liberal Party lost support in every part of the country, but retained enough seats in eastern Canada (Ontario, Québec and the Atlantic provinces) to remain in government. The Conservative Party made significant gains in Western Canada; winning 33 or 34 seats in Alberta and all 14 seats in Saskatchewan.

Québec also saw a major change in its representation,

with a resurgence of Bloc Québécois support. Of Québec's 78 seats, 32 are now held by Bloc Québécois Members. The Liberal Party lost five seats overall in the province but maintained the highest number of seats overall with 35. The NDP saw a major decrease in support in Québec, retaining only one seat and losing 16.

Overall, Canadians elected 90 new MPs. Furthermore, the election set a record for the most women to be elected to the House of Commons. A total of 98 women were elected across all parties, an increase of 10 from the 2015 election. In total, women now hold 29% of the seats in the House of Commons. A record 74 openly LGBT+ candidates ran in the election, with four being elected.

The Federal Cabinet will be announced on 20 November 2019.

Changes in the Senate

On 23 July 2019, the Prime Minister, Rt Hon. Justin Trudeau, MP, announced the appointment of Hon. Tony Loffreda, on the advice of the Independent Advisory Board on Senate Appointments to fill a vacancy in Québec. Senator Loffreda is a financial expert and philanthropist.

On 13 August 2019, Hon. Raynell Andreychuk retired, after serving in the Senate of Canada since 1993. On 24 August 2019, Hon. Jacques Demers retired, after serving in the Senate since 2009. On 21 October 2019, Hon. André Pratte resigned, after serving in the Senate since 2016.

As of 25 October 2019, the standings in the Senate were: Independent Senators Group 57, Conservative Party 29, Liberal Party 9, non-affiliated 7 and vacant 3.



Supreme Court Nomination

On 10 July 2019, Rt Hon. Justin Trudeau, MP announced the appointment of the Hon. Nicholas Kasirer to the Supreme Court of Canada, on the advice of the Independent Advisory Board for Supreme Court of Canada Judicial Appointments, to fill vacancy reserved for a judge from Québec.

On 25 July 2019, Minister of Justice and Attorney-General of Canada, Hon. David Lametti, MP; and former Prime Minister and current Chairperson of the Independent Advisory Board for Supreme Court of Canada Judicial Appointments, Rt Hon. Kim Campbell appeared before the House of Commons Standing Committee on Justice

and Human Rights to discuss Justice Kasirer's appointment.

Public Safety Committee

On 15 July 2019, the House of Commons Standing Committee on Public Safety and National Security held an emergency meeting following the request of four Members that the Committee be reconvened to examine the situation relating to a data breach affecting 2.9 million clients of the Desjardins Group, a federation of credit unions. Representatives from the Royal Canadian Mounted Police, the Department of Finance, the Canada Revenue Agency, and the Desjardin Group were among a number of witnesses in attendance.

Foreign Affairs Committee

On 30 July 2019, the House of Commons Standing Committee on Foreign Affairs and International Development held a rare summer meeting to vote on a motion moved by Leona Alleslev, MP, calling on Minister of Foreign Affairs, Hon. Chrystia Freeland, MP, to appear to answer questions regarding allegations that a federal official pressured two former diplomats to coordinate with the government before speaking publicly about Canada's diplomatic conflict with China. The motion was defeated by a majority vote.

Ethics Committee

On 21 August 2019, the House of Commons Standing Committee on Standing

Committee on Access to Information, Privacy and Ethics held an emergency meeting to vote on an opposition motion inviting the Conflict of Interest and Ethics Commissioner Mario Dion to testify about the *Trudeau II Report* (August 2019). In the report, the Commissioner determined that Rt Hon. Justin Trudeau, MP contravened the Conflict of Interest Act when Hon. Jody Wilson-Raybould, MP, former Minister of Justice and Attorney General of Canada, was pressured to ask federal prosecutors to make a deal in the corruption and fraud case against SNC Lavalin - an engineering and construction firm based in Montreal. The motion was defeated by a majority vote.





THIRD READING: AUSTRALIA

Future Drought Fund Act 2019

The *Future Drought Fund Act* will establish a fund to help build drought resilience across Australia. The Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management, **Hon. David Littleproud, MP**, said the '*Future Drought Fund is a long-term investment to build drought resilience, including preparedness and recovery in our most drought-affected communities. It will enable farmers and their communities to fulfil their potential as productive and profitable contributors to the Australian economy by improving the performance of the agriculture sector.*'

Mr Littleproud explained that the legislation '*provides an initial credit of \$3.9 billion. The government intends to grow the fund until it reaches \$5 billion, while at the same time drawing down \$100 million per year from 1 July 2020 to build drought resilience across Australia. Once established, the Future Drought Fund will provide a new secure, predictable revenue stream to build drought resilience across Australia.*'

The Future Drought Fund will be managed by the Future Fund Board of Guardians, which has a proven track record of managing investment portfolios on behalf of the government and maximising returns over the long term.

The Minister advised that '*the government will develop and publish the Drought Resilience Funding Plan to ensure that a coherent and consistent approach is undertaken when considering and providing funding for drought-resilience projects. The draft funding plan will be informed by expert advice from the Future Drought Fund Consultative Committee, which*

will be established by this Bill. The consultative committee will consist of a diverse range of experts in fields such as the agriculture industry, drought resilience and rural and regional development. The funding plan will also be informed through public consultation over a period of at least six weeks.'

The Shadow Minister for Finance, **Senator Hon. Katy Gallagher**, made it clear that Labor is not going to stand in the way of a drought fund although she did have

concerns about the process and passage of the legislation through the parliament. Senator Gallagher commented that '*it has long been the convention in this place that, when you introduce a Bill into the Parliament, debate on the Bill is then adjourned and then there are processes that parties go through in their own organisations and then there are processes that follow in this Parliament to have a Bill dealt with appropriately. We have placed on the record our concerns that that process has been abused and that those conventions have been thrown out. The only reason for this, it seems, is so that the government can play some political game, the politics of wedge.*'

In relation to the substance of the legislation, Senator Gallagher commented that '*this is not a \$5 billion fund going to farmers, as the government would like the headlines to read. This is a fund that's being established from \$3.9 billion, which is held in the Building Australia Fund, which was a fund established to ensure that there were proper processes around the allocation of infrastructure funding to align with Infrastructure Australia and to ensure, in the national interest, that our infrastructure funding was aligned with those priorities. We are concerned about the abolition of the Building Australia Fund. It was an important microeconomic reform, in terms of the ability to work in the national interest, as opposed to the examples we've seen in working in the National Party's interest. Again, we would be monitoring this drought fund for evidence of that.*'

Senator Gallagher, in conclusion,

commented that '*the government is not telling the truth when it comes to the facts about the fund. It continues to call it the \$5 billion Future Drought Fund. The \$5 billion won't be available for farmers. It's \$100 million a year, \$200 million over the life of this Parliament, and the fund doesn't reach that \$5 billion level until the end of the decade.*'

The Minister for Agriculture, **Senator Hon. Bridgette McKenzie** noted that Senator Gallagher complains '*about not knowing that the Future Drought Fund Bill 2019 was going to be debated this week. I don't know why they didn't hear that at the Bush Summit last weekend in Dubbo. I don't know why they hadn't heard. Maybe they don't read regional newspapers. But blind Freddy knew that this Bill was going to be debated this week. I would have thought that any political party that was seeking to form government at this point in our nation's present would have a plan on how to deal with the drought, not just in the present - as we are doing, and I'll run through those initiatives - but onwards into the future, because this won't be the last time our farmers, our communities and our nation experience drought conditions. We need to have a plan to ensure we build resilience going forward.*'

Royal Commission Amendment (Private Sessions) Act 2019

The legislation will enable a Royal Commission to hold private sessions where a regulation is made authorising it to do so. The Assistant Minister to the Prime Minister and Cabinet, **Hon. Ben Morton, MP**, commented that the legislation '*enables the private sessions regime in part 4 of the Royal Commissions Act 1902 to be applied to other Royal Commissions. The private sessions regime was inserted into the act in 2013 to support the Royal Commission into Institutional Responses to Child Sexual Abuse. Private sessions allowed that commission to hear from survivors and victims about their experience of abuse in a private and supportive setting. Participation was voluntary. The commission heard over 8,000 personal stories in private sessions.*'

Mr Morton noted that '*the Chair of the Royal Commission into Aged Care Quality and Safety, the Hon. Richard Tracey AM, RFD, QC, and the Chair of the Royal Commission into Violence, Abuse, Neglect and Exploitation*

of People with Disability, the Hon. Ronald Sackville AO, QC, have told the government that private sessions will assist in their important duties.' Mr Morton confirmed that 'subject to passage of this Bill, it is the government's intention to recommend to the Governor-General that both the aged-care Royal Commission and the disability Royal Commission are able to use private sessions.'

Mr Morton explained that 'private sessions are just one way that the Royal Commissions can gather sensitive and personal information from individuals. Their use can have implications for the constitution of a Royal Commission as well as funding implications. For that reason, the Bill provides that private sessions are enabled through a regulation. That mechanism will require a discrete decision on whether private sessions will be useful for a particular inquiry.' Mr Morton commented, however, that 'limitations on the use and disclosure of information given at a private session will be retained. Sessions are conducted in private and are not open to the public. Private session information can only be used in a report if it's deidentified or if the information is also given in evidence.'

Mr Morton commented that 'private session records are also excluded from the operation of the Freedom of Information Act 1982 and are treated in the same way as census records under the Archives Act 1983. That means that these records will not become publicly available until 99 years after the year the record was created. These limitations on use and disclosure are designed so that people are not discouraged from sharing their personal stories.'

During debate in the Senate, the legislation was amended to ensure that only Royal Commissioners should be empowered to hold private sessions.

Senator Murray Watt (Labor) commented that 'the amendment would remove the ability of a Royal Commissioner to delegate to a senior staff member the power to receive evidence in a private session. This amendment addresses a concern that was raised with Labor by Senator Steele-John and disability advocates in relation to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability - concerns that we then raised with the government.'

Senator Jordan Steele-John (Australian Greens) commented that 'I would like to thank the crossbench and the major parties for working with disability organisations and the Greens to progress these amendments. It is right to say that, when the Bill in its original form was presented to the community, there were concerns about the potential impacts on victims and the creation of a three-tiered Royal Commission process. These amendments effectively address those concerns.'

AUSTRALIAN SENATE ESTIMATES HOLD THE EXECUTIVE TO ACCOUNT

Senate estimates are one of the most effective instruments of the Australian Parliament for scrutinising and holding the Executive to account. A former Senator, John Faulkner, described the process as the 'best accountability mechanism of any Australian Parliament.'

There are eight pairs of legislative and general-purpose Standing Committees which are responsible for eight subject areas ranging from community affairs through to rural and regional affairs.

They are described as the engines of the Senate's Committee system. In addition to other activities, Legislation Committees conduct the estimates hearings. Departments and agencies, by order of the Senate, are allocated to relevant Legislation Committees for scrutiny at estimates hearings. Budget estimates are held for two weeks shortly after the Commonwealth of Australia Budget is presented in May. Supplementary budget estimates are held in October and Additional Estimates are held in late February or early March.

Ministers residing in the Senate, together with senior public servants appear before the relevant Committees to explain expenditure proposals and to answer questions concerning the effectiveness and efficiency of various programs. Ministers residing in the House of Representatives are not called before Senate Estimates Committees. Estimates hearings are required to be held in public and Legislation Committees when considering estimates are not empowered to receive confidential material unless authorised by the Senate.

Odgers' Australian Senate Practice states that 'Estimates scrutiny is an important part of the Senate's calendar and a key element of the Senate's role as a check on government. The estimates process provides the major opportunity for the Senate to assess the performance of the public service and its administration of government policy and programs. It has evolved from early efforts by Senators to elicit basic information about government

expenditure to inform their decisions about appropriation Bills, to a wide-ranging examination of expenditure with an increasing focus on performance. Its effect is cumulative, in that an individual question may not have any significant impact, but the sum of questions and the process as a whole, as it has developed, help to keep Executive government accountable and place a great deal of information on the public record on which judgments may be based.'

The Supplementary Budget Estimates conducted between 21 and 25 October 2019 provided another opportunity for Senators to scrutinise executive government over its performance.

Effectiveness of monetary policy

The Economics Legislation Committee scrutinised Treasury officials over the effectiveness of monetary policy. In Australia, the Reserve Bank of Australia (RBA) sets the cash rate which is currently at its lowest level ever at 0.75%. There is now an ongoing public debate about whether the RBA can use monetary policy any further to stimulate Australia's sluggish economy. This is why some sectors are calling for increased fiscal spending to prop up the economy, but this is counter to the government's objective of achieving in 2019-20 the first budget surplus in 12 years. **The Treasury Secretary, Dr Steve Kennedy**, claimed that monetary policy remains a better response than fiscal policy. Dr Kennedy stated that 'medium-term fiscal frameworks which reflect an apparent short-term economic weakness or unsustainably strong growth are best responded to by monetary policy.' He noted that caution was needed in using fiscal policy noting that 'in periods of crisis there is a case for further temporary fiscal actions but it is important to consider that, separately from broader policy objectives, temporary responses to crises can lead to unintended consequences.'

Senator Jenny McAllister (Labor) in a question to Dr Kennedy stated that

'you indicated that you do not think we are in a circumstance that warrants a temporary fiscal response. How should we understand the Reserve Bank governor's calls for a major spending program on infrastructure?' Senator McAllister elaborated on her question by stating 'The Reserve Bank governor has repeatedly called for a bring-forward of infrastructure programs. He concedes, in the same way that you do in your statement, that there are some capacity constraints in major capital cities, but he has strongly, publicly and repeatedly made the point that there are small-scale projects that could be brought forward and that there is capacity in other capital cities and regions around the country.'

Dr Kennedy stated that 'I might try and distinguish between a couple of activities. When people think about a short-term, temporary response, they think about a significant action - the sort of action that you might have seen, for example, in the response to the global financial crisis - where a very short, large, targeted, temporary response looks to bring forward activity in some way. I noted in my remarks that there are some

opportunities to bring forward some of the infrastructure spending. When I was the Infrastructure Secretary, I gave a speech that identified some of those opportunities, but I did warn that it was very difficult to move the large projects. The large projects really need to be well planned and carefully executed. But there are some opportunities. I understand the Prime Minister has written to the Premiers on these matters.'

Tax Commissioner makes 'extraordinary' opening statement

The Australian Tax Commissioner, Mr Chris Jordan, in his opening statement, sought to counter misleading public commentary about the Australian Taxation Office's (ATO) attitude towards whistleblowers. In his statement he referred to two former ATO employees. Mr Jordan stated that *'I will clarify issues regarding our treatment of whistleblowers, and, contrary to what has been written by some commentators, the ATO takes whistleblowing very seriously, and we actively engage disclosures - so we actually encourage disclosures - where people feel they are warranted. There are*

many avenues available to staff to make a public interest disclosure, or PID, and we have a culture that encourages and supports it.'

Mr Jordan then stated that *'we rarely ever receive complaints about our handling of PIDs, yet currently we have two public cases where former employees believe they*

have tried to whistle-blow on ATO activities and feel that the system has not afforded them adequate protection. I note that both employees were subject to ongoing workplace performance or conduct issues that were close to finalisation and were likely to result in their termination. This was well before seeking these whistleblower style protections, and this is in stark contrast to the public portrayal that they were terminated as a result of whistleblowing.'

Mr Jordan then named two former ATO staff, elaborated on their cases and sought to present a document in relation to one of the persons. The **Chair of Senate Economics Legislation Committee, Senator Slade Brockman** (Liberal) stated that in relation to a separate inquiry into the performance of the Inspector-General of Taxation *'the Committee has been very cautious not to reveal people's private information publicly. We've taken the vast majority of information in confidence. My preference would be to consider this document more closely before we make a final decision on receiving it.'*

Senator Rex Patrick (Centre Alliance) drew attention to the need for Legislation Committees performing their estimates function to take evidence in public, Senator Patrick recommended to Mr Jordan that *'rather than table this, you provide it to the inquiry into the performance of the Inspector-General, and then we can properly consider exactly the information in here and we can work with it and we can work out what the committee would consider to be confidential. We can't do that for estimates. We're not in a position to do that'*

Senator Katy Gallagher (Labor) then questioned Mr Jordan about his conduct stating *'just before we get to*

the questioning section of today: Mr Jordan, that's quite an extraordinary statement you've given today. It's not one I've heard before from a senior public servant around individuals in this way, despite the merits or otherwise of the issues at hand. Did you take any legal advice before you put your opening statement together?'

Mr Jordan responded that the ATO's *'General Counsel has reviewed in detail the material that I have spoken about.'*

Senator Peter Whish-Wilson (Australian Greens) asked *'if any Senator wants to suspend the Committee so that we can have a discussion about this and a timetable on this issue?'* The Committee agreed and unusually suspended the hearing to deliberate in private.

When the Committee resumed, the Chair stated that *'Commissioner Jordan, I think you'd agree that was probably a slightly unusual opening statement from a Tax Commissioner, but we certainly appreciate why you felt the need to give it. The Committee has resolved at this stage to ask you to make this a submission to the IGT inquiry, so we won't publicly receive it at this point. The Committee also resolved, on a request from Senator Patrick - and I know this is very unusual - to make a few remarks about your opening statement and then move on to questions.'*

Senator Patrick then stated that *'it was an unusual opening statement, and I would like to respond just to put on the record that you have a perspective. You're entitled to that perspective and to lay out the facts, but so too are the people involved. They may have a different perspective, as other people may have. Indeed, that's why it's probably better to shift this out of estimates and back into the Committee, where we're dealing with those sorts of matters relatively exclusively.'*



NEW UK PRIME MINISTER ATTEMPTS THE PROROGATION OF THE UK PARLIAMENT BEFORE SUPREME COURT RULING

New UK Prime Minister

On Tuesday 23 July 2019, the Conservative Party announced the result of its leadership election. **Rt Hon. Boris Johnson, MP** won 92,153 votes from Conservative Party members, beating his rival, **Rt Hon. Jeremy Hunt, MP**, who won 46,656 votes.

The following day, **Rt Hon. Theresa May, MP** tendered her resignation to Her Majesty Queen Elizabeth II and Boris Johnson was appointed as Prime Minister by The Queen later that day.

Order for the prorogation of Parliament and the European Union (Withdrawal) (No. 6) Bill

On 28 August 2019, six days before Parliament was due to return from its summer recess, the UK Prime Minister, **Rt Hon. Boris Johnson, MP** announced that he was to advise The Queen to prorogue Parliament. The prorogation was to be effective from between 9 and 12 September until the day of State Opening, planned for 14 October (further information on prorogation can be found in the UK parliamentary report in *The Parliamentarian* 2019 Issue 3).

The motivation for the prorogation was described in the House of Commons on 3 September 2019 by the Leader of the Opposition, **Rt Hon. Jeremy Corbyn, MP** (Lab), as the Government “*trying to shut down debate, shut down democracy and lead us into what I believe would be the problems of a no-deal Brexit.*” The United Kingdom was due to leave the European Union on 31 October 2019 and so prorogation of this length of time would exclude five out of a possible seven and a half

sitting weeks for Parliament before ‘exit day’; but three of those weeks covered the party conferences, when Parliament does not normally sit. The Leader of the House of Commons, **Rt Hon. Jacob Rees-Mogg, MP** (Con), told the House of Commons: “*Prorogation is a routine start for a new Session, and we are losing a similar number of days to the number we would lose in a normal Prorogation.*”

On Tuesday 3 September 2019, **Rt Hon. Sir Oliver Letwin, MP** (Con) applied for

an emergency debate under *Standing Order No. 24* in the House of Commons. This application was granted by the Speaker and led to Mr Letwin tabling a business motion to provide time for a new Bill to be introduced and pass through the House of Commons and for the Commons to consider any amendments to the Bill by the House of Lords before prorogation. The motion tabled by Mr Letwin received support from the opposition parties and was passed by 328 votes to 301. 21 Conservative MPs

voted against the Government and subsequently had the party whip withdrawn.

As a result of the motion passing, the following day, **Rt Hon. Hilary Benn, MP** (Lab) introduced the *European Union (Withdrawal) (No. 6) Bill*. The main provision of the Bill was to require the Prime Minister to request an extension to the negotiating period no later than 19 October 2019, unless the House of Commons has passed a motion either to approve the withdrawal agreement or to leave the EU





without an agreement. This request was to be made by a letter to the President of the European Council, the specific wording of which the Bill also provided for. The Bill passed through all of its stages in the Commons on Wednesday and was sent to the House of Lords.

The House of Lords does not guillotine debating time for legislation. However, on Wednesday 4 September 2019, the Leader of the Opposition in the House of Lords, **Rt Hon. Baroness Smith of Basildon** (Lab), tabled a Business of the House motion which would ensure that Committee stage,

Report stage, Third Reading and Passing of the Bill be brought to a conclusion by 5pm on Friday 6 September. Baroness Smith told the House: *“there is a fixed end time not of our choosing. Your Lordships’ House has no say or impact on that fixed end time, which has been decided by the Prime Minister through a*

rather unusual and controversial prorogation.” In speaking for her amendment, Baroness Smith argued: *“we are, and were, aware of what would be a deliberate attempt to filibuster the Bill.”*

A total of 102 amendments were tabled to the motion. **Rt Hon. Lord Forsyth of Drumlean** (Con), who opposed the motion and tabled a number of amendments to it, said during the debate: *“We are making a dangerous and unprecedented assault on the part of this House, to quote the former Lord Chancellor [Rt Hon. Lord Falconer of Thornton], and this should not be nodded through as part of a business motion... The implications are enormous.”* As a result of the nature of the debate and the number of amendments, the House of Lords set a new record for the most divisions in a sitting day – 17. This was in part the result of closure motions being moved to close the debate on, and then dispose of, amendments to the motion.

After nine and a half hours of debate on the motion, **Lord Ashton of Hyde**, Government Chief Whip, told the House at 1.10am: *“we have agreed that consideration of the current Business of the House Motion will be adjourned and a new Motion tabled tomorrow to allow the Bill to complete all stages in this House by 5 pm on Friday 6 September... It is the Government’s intention that the Bill be ready to be presented for Royal Assent.”* The House was adjourned until later on Thursday 5 September, and a new Business of the House motion was tabled and agreed to without division. The Bill completed its stages on Friday 6 September and passed without amendment. It received Royal Assent on Monday 9 September before Parliament was prorogued to become the *European Union (Withdrawal) (No. 2) Act, 2019*.

UK Supreme Court Ruling on the Prorogation of the UK Parliament

The UK Supreme Court held a three-day hearing to consider two legal challenges to the UK Government regarding whether the advice given by the Prime Minister, **Rt Hon. Boris Johnson, MP** to The Queen that the UK Parliament should be prorogued was lawful [*R (on the application of Miller) (Appellant) v The Prime Minister (Respondent) and Cherry and others (Respondents) v Advocate General for Scotland (Appellant) (Scotland)*]. On the morning of Tuesday 24 September 2019, **Rt Hon. Baroness Hale of Richmond**, President of the UK Supreme Court, gave the following judgement: “*the Prime Minister’s advice to Her Majesty was unlawful, void and of no effect. This means that the Order in Council to which it led was also unlawful, void and of no effect and should be quashed. This means that when the Royal Commissioners walked into the House of Lords it was as if they walked in with a blank sheet of paper. The prorogation was also void and of no effect. Parliament has not been prorogued. This is the unanimous judgment of all 11 Justices.*”

Parliament returned the following day, Wednesday 25 September 2019 and the 2017-19 session of Parliament resumed.

The UK Parliament was later prorogued for six days, from Tuesday 8 October to Monday 14 October 2019.

Proceedings on the European Union Withdrawal (Agreement) Bill

The UK Parliament sat on Saturday 19 October 2019, the first Saturday sitting since 3 April 1982, when the UK Prime Minister, **Rt Hon. Margaret Thatcher, MP** addressed the

House of Commons regarding the Falklands conflict. As a result of the *European Union (Withdrawal) (No. 2) Act 2019*, this was the day on which the Prime Minister was required to request an extension of the negotiating period with the European Union. The Secretary of State for Exiting the European Union, **Rt Hon. Stephen Barclay, MP (Con)**, moved a motion to approve the withdrawal agreement recently renegotiated by Prime Minister Johnson’s Government.

Rt Hon. Sir Oliver Letwin, MP (Con) tabled an amendment to the motion which said: “*this House has considered the matter but withholds approval unless and until implementing legislation is passed.*” This amendment was selected by the Speaker and was passed by 322 votes to 306.

As a result of this amendment, the motion required under the *European Union (Withdrawal) (No. 2) Act* was not passed and therefore the Prime Minister was required under the Act to request an extension for the negotiating period.

Following the Government defeat, the Prime Minister told the House of Commons: “*further delay would be bad for this country, bad for our European Union, and bad for democracy.*” The Prime Minister later that evening sent the letter required under the *European Union (Withdrawal) (No. 2) Act* although it was unsigned, along with another signed letter arguing against an extension. On 28 October 2019, the President of the European Council, **Donald Tusk**, confirmed that the negotiation period would be extended to 31 January 2020.

The UK Government introduced the *European Union (Withdrawal Agreement) Bill* (“the WAB”) to the House of Commons on 21 October 2019,

to implement the withdrawal agreement. The WAB passed its second reading on 22 October 2019 by 329 votes to 299. However, the programme motion for the Bill, which sought to conclude all subsequent Commons stages within three sittings days, was defeated by 322 votes to 308. This was the Prime Minister’s tenth defeat since taking office. The Prime Minister told the House of Commons: “I will speak to EU member states about their intentions [regarding an extension to the negotiating period] and, until they have reached a decision, we will pause this legislation.”

Motions for a General Election under the Fixed-term Parliaments Act 2011

On 4 and 9 September 2019, the Government tabled motions under the Fixed-Term Parliaments Act, 2011 (the “FTPA”) mandating an early general election. The Act was passed by the Coalition Government led by then Prime Minister, **Rt Hon. David Cameron, MP** as part of the coalition agreement with the Liberal Democrats. One of the Act’s significant provisions is that two-thirds of MPs must vote in favour of a motion for an early general election to be held. An early general election is an election held before the next scheduled polling day under the Act (*which is the first Thursday in May in the fifth calendar year following that in which the polling day for the previous parliamentary general election fell*). This was the motion, tabled by then Prime Minister, **Rt Hon. Theresa May, MP** and passed in April 2017 to hold a general election in June of that year.

On both occasions in September, the motion did not reach the majority required under the Act. Explaining why the Opposition did not vote

in favour of an early general election, **Rt Hon. Jeremy Corbyn, MP (Lab)** told the House on 9 September 2019 that: “*until the Act (the European Union (Withdrawal) (No. 2) Act) has been complied with and no deal has been taken off the table, we will not vote to support the Dissolution of this House and a general election.*”

The UK Government tabled a further motion for an early general election on 28 October 2019 under the FTPA after the extension to the negotiating period had been granted by the European Union, but it again failed to meet the required two-thirds majority (299 votes to 70). On 29 October 2019, the UK Government tabled the Early Parliamentary General Election Bill to provide for an election to be held on 12 December 2019. It passed all stages in the House of Commons on that day and all stages in the House of Lords the following day without amendment. The UK Parliament was dissolved on Wednesday 6 November 2019.

Election for new Speaker of the House of Commons

Rt Hon. John Bercow MP, who had been Speaker of the House of Commons since 2009, told the House of Commons on 9 September 2019 that he would stand down by 31 October 2019. The election for the next Speaker took place on 4 November 2019, the second time the Speaker of the House of Commons has been elected by its Members by secret ballot. Seven candidates stood for election. **Rt Hon. Sir Lindsay Hoyle MP (Lab)**, Chairman of Ways and Means and Deputy Speaker of the House of Commons, was elected as Speaker after four rounds using an exhaustive ballot voting system.



Misuse of Drugs Amendment Bill and Psychoactive Substances (Increasing Penalty for Supply and Distribution) Amendment Bill

The Misuse of Drugs Amendment Bill, a Government Bill, passed its Third Reading in the New Zealand Parliament on 7 August 2019. The Minister of Health, **Hon. Dr David Clark, MP** (Labour) explained the intent of the Bill: *“It will classify AMB-FUBINACA and 5F-ADB as class A drugs. It will reaffirm the existing police discretion and specify that when considering whether a prosecution is required in the public interest for drug possession and use, consideration should be given to whether a therapeutic approach would be more beneficial. This discretion exists for all drug offences. It will enable temporary drug class orders to be issued to better control emerging and potentially harmful substances.”*

There was cross-party support for aspects of the Bill. Opposition spokesperson for health, **Hon. Michael Woodhouse, MP** (National) commented: *“We now have punishments of up to 20 years in jail for offences for supply of these synthetic drugs that have caused a scourge, particularly in vulnerable communities, and death on, I think, about 80 occasions in the last couple of years. So we support that; we think that is a very good initiative. The temporary drug orders also we will support ...”*

However, concern was raised that the Bill might constitute a ‘de facto decriminalisation’ of certain prohibited substances. **Dr Shane Reti, MP** (National) said: *“We’ve expressed our concerns with ... the decision tree that gives police discretion. For us, it really is that it seems like that discretion is that if there’s likely*

to be a health benefit, then discretion will be exercised, and we were told, and we believe and we understand, that there will always be a health benefit, therefore discretion is likely to be always applied. That’s sort of, fundamentally, the issue that we’re struggling with in how we, quite reasonably, join the dots with this being default decriminalisation.”

Mr Darroch Ball, MP (NZ First) disagreed: *“I just want to touch on what Michael Woodhouse said again today, and just what the previous Member, Dr Shane Reti, was talking about. He said that he was concerned that certain groups in our society, and Māori in particular, were going to be affected by the discretion that was being used under this bill by police. How can that be if we’re taking all the discretion away from the police - according to National - and decriminalising the possession of drugs? Because there would be no discretion being used if it was all decriminalised. So which one is it, Dr Reti? Is there a concern with the discretion that they already use, or is it going to be decriminalisation of all the drugs and that no police would have to use discretion?”*

On 22 May 2019, some two months prior to the passing of the Misuse of Drugs Amendment Bill, the New Zealand Parliament also considered, and voted down at its Third Reading, a Member’s Bill in the name of **Mr Simeon Brown, MP** (National) to increase the penalties for the supply and distribution of psychoactive substances. Mr Brown explained to the House that the Psychoactive Substances (Increasing Penalty for Supply and Distribution) Amendment Bill would *“address the growing danger and considerable concern in our*

communities that is caused by synthetic drugs.”

However, Green Party of Aotearoa New Zealand MP **Ms Chlöe Swarbrick** disagreed: *“In fact, if we are to look at direct examples where we have done exactly this approach 16 years ago with methamphetamine, what we have seen is simply an increase in harm, an increase in use, and an increase in prosecutions, meaning an increase in the number of people in our prison cells.”*

The Bill was voted down, 64 votes to 56.

Insolvency Practitioners Regulation Bill & Insolvency Practitioners Regulation (Amendments) Bill

The Insolvency Practitioners Regulation Bill and Insolvency Practitioners Regulation (Amendments) Bill passed their Third Readings in June 2019 after a lengthy process in the House. The Bills were originally introduced in 2010 as the Insolvency Practitioners Bill. As introduced, the Bill proposed a negative licensing system that would give the Registrar of Companies the power to prohibit certain individuals from providing insolvency services, or to place them under supervision, for up to five years. The Select Committee considering the Bill recommended replacing this system with a registration framework, with associated offences and penalties, and this was adopted by the House at Second Reading.

The Bill was discharged in 2018 and recommitted to the Select Committee for consideration of further amendments proposed in a Government Supplementary Order Paper (SOP). These amendments sought to change the registration framework agreed at second reading to a co-licensing framework, requiring insolvency practitioners to be licensed by an accredited body under a new Insolvency Practitioners Regulation Act. Most of the recommendations in the SOP were adopted by the select committee and the Bill was divided to reflect amendments made since its introduction.

Hon. Dr Megan Woods (Labour) moved the Bills’ Third Readings on behalf of the Minister of Commerce and Consumer Affairs. Woods told the House that a similar licensing regime is already used to regulate the auditing profession and that replicating this for insolvency practitioners was *“necessary ... to ensure that all insolvency practitioners meet the basic standards of honesty and competence that the public is entitled to expect of them.”*

The Opposition National Party, which originally introduced the Bill, supported the

THIRD READING: NEW ZEALAND

amendments made at the Select Committee and voted with the Government on the Third Readings. Commerce and consumer affairs spokesperson, **Mr Brett Hudson, MP** (National) stated that businesses “*deserve confidence that, should the business they’re transacting with go into financial difficulties, their interests as creditors will be served by the practitioners that are dealing with that issue or insolvency. This legislation goes a long way, I believe, to improving that confidence.*”

The Green Party used the Third Reading debate to highlight public submissions on the way the licensing regime would be funded. As passed, the Bill empowers the Registrar of Companies to levy companies to offset the costs of the licensing regime, rather than the costs being borne by practitioners. **Mr Gareth Hughes, MP** (Green) stated “*We didn’t hear a great number of submissions in the select committee, but we did hear from the small community of liquidators, particularly on the point of cost ... [The licensing regime] will be funded out of the Companies Office. This is important so that this burden isn’t placed on a small number of shoulders.*”

Mr Fletcher Tabuteau, MP (NZ First) stated that the unusual history of the Bill, where it was recommitted to the Select Committee after a Second Reading, was necessary to address problems in the original registration system. He argued that the proposed registration framework would not do enough to guarantee practitioners were of good character and appropriately qualified to perform insolvency services: “*We weren’t addressing the issue of competency and integrity in the first instance, and so, because the disqualification criteria were quite minimal, there was no conversation about skill and experience and good character.*” He argued that the Bills in their final form support “*the introduction of a robust new regime for the licensing of practitioners, providing effective ways for holding them to account.*”

Copyright (Marrakesh Treaty Implementation) Amendment Bill

The Copyright (Marrakesh Treaty Implementation) Amendment Bill passed its Third Reading in the New Zealand Parliament on 7 August 2019. The Bill aims to provide print-disabled people with better access to print publications through an exception to copyright law, as required under the Marrakesh Treaty, which will allow authorised entities to make or import accessible format copies of publications.

The Bill received unanimous support across the House.

More than 168,000 New Zealanders have a print disability, but Minister of Commerce and Consumer Affairs, **Hon. Kris Faafoi** noted, “*It is estimated that around 10% of all written materials published worldwide are published in formats that are accessible to people with print disability, so this lack of access - with 90% that are not - is a barrier to participation in public life. It restricts employment, education, and, of course, recreational opportunities for a significant number of New Zealanders.*”

Members across the House spoke of submissions from print-disabled people in their electorates who have been disadvantaged by the current legislation, particularly those completing university studies, who receive their study material later than other students, and sometimes even after their course has finished. Minister for Children and New Zealand First MP, **Hon. Tracey Martin** also discussed the impact that the Bill would have also on vision-impaired children in New Zealand: “*I ask people to think for a moment of five-year-olds, six-year-olds, and seven-year-olds also wanting to have this wide diversity of materials that they can read on their own in a format that they’ll be able to use for the rest of their lives.*”

During the Economic Development, Science and Innovation Committee’s consideration of the Bill, Green MP **Mr Gareth Hughes** suggested removing the commercial availability test from the legislation and from the Copyright Act. The commercial availability test, Minister Faafoi explained, “*would require authorised entities to make reasonable efforts to obtain a commercially available accessible format copy of a work within a reasonable time and at an ordinary commercial price before making an accessible format copy of that work.*”

The Minister noted that some stakeholders were concerned that removing the test would “*reduce sales of accessible format copies and therefore reduce the incentive to create accessible format copies.*” He indicated that there was no evidence of this occurring in other jurisdictions to date, but that these and other “*valid wider concerns*” around the Copyright

Act could be further examined under a broader review of the Act, which is currently under way. The Minister also noted that “*there is a requirement in the Bill for authorised entities to take all reasonable steps to notify the owner of a copyright work of an intention to make or import an accessible format, and the Select Committee also said that this should incentivise cooperation between authorised entities and copyright owners themselves.*”

National MP and Chair of the Select Committee, **Mr Jonathan Young** said: “*We did have considerable discussion around this, trying to find the balance between the interests of those copyright holders and those people who need to access in a timely fashion those written works, especially when there’s time constraints around, perhaps, university studies,*” and, “*on the balance, we considered that a formal requirement for a commercial availability test would disadvantage print-disabled people, so we made that decision.*”

“*I think that’s a wonderful thing that we can do for New Zealand consumers,*” commented Mr Gareth Hughes. He went on to say, “*This is a great day forward for sensible, modern copyright reform. It’s going to really help those consumers, but, most importantly, it’s also going to encourage those producers, because, ultimately, in this digital age we want more and more producers.*”

The Bill received Royal assent on 12 August 2019.



INDIA PARLIAMENT ADOPTS RESOLUTION TO APPLY ALL CONSTITUTIONAL PROVISIONS IN JAMMU AND KASHMIR

Both the Houses of Parliament of India, during their Monsoon Session in August 2019, adopted a Statutory Resolution recommending the President of India to issue a public notification ceasing operation of all clauses of the Article 370 from the date of such notification except clause (1) which shall provide for application of all provisions of the Constitution, as amended from time to time, without any modifications or exceptions, notwithstanding anything contrary contained in any other article of the Constitution or any provision of the Constitution of Jammu and Kashmir or any law, document, judgment, ordinance, order, byelaw, rule, regulation, notification, custom or usage having the force of law in the territory of India, or any other instrument, treaty or agreement as envisaged under Article 363 or otherwise to the state of Jammu and Kashmir.

Accordingly, the **President of India, Shri Ram Nath Kovind** declared abrogation of the provisions of Article 370 with effect from 6 August 2019. The *Constitution (Application to Jammu and Kashmir) Order, 2019* made by the President was notified on 5 August which superseded the *Constitution (Application to Jammu and Kashmir) Order, 1954* that provided special status to the state. Consequently, the Constitution of India has become applicable to Jammu and Kashmir, on par with other states/Union Territories (UTs) of the country.

Article 370 had limited the power of Parliament to make laws for the state of Jammu and Kashmir in certain areas. It allowed certain amount of autonomy to the state which

had its own constitution, separate flag and freedom to make laws. Subjects like foreign affairs, defence and communications were with the central government. Jammu and Kashmir could make its own rules relating to permanent residency, ownership of property, etc. It could bar Indians from outside the state from purchasing property or settling there.

The provisions of Article 370, however, were temporary provisions and the President of India had the power by public notification to declare that Article 370 shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify. The recommendation of the Constituent Assembly of Jammu and Kashmir was necessary before the President issues such a notification. Since the Legislative Assembly of the state had been dissolved and the state was under President's rule, the Parliament of India exercised the power of the state Assembly.

Jammu and Kashmir was under Governor's rule following the collapse of the PDF-BJP government on 20 June 2018 and the Assembly was kept under suspender animation. Later on 21 November 2018, the state Governor dissolved the Assembly. The state was brought under President's rule on 20 December 2018.

Both the Houses also passed the *Jammu and Kashmir Reorganization Bill, 2019* reorganising the state into two Union Territories to be called Union Territory of Ladakh and the Union Territory of Jammu and Kashmir.

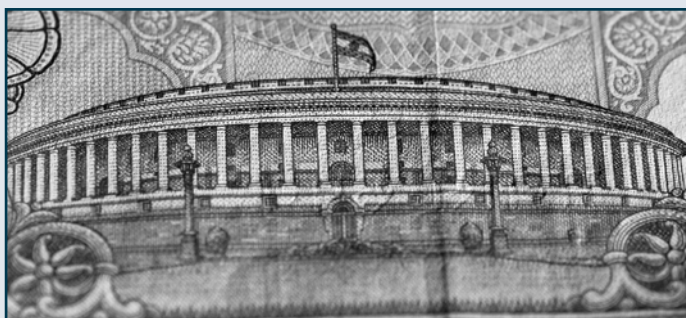
Moving the Resolution and motion for consideration of the *Jammu and Kashmir Reorganization Bill, 2019* in Rajya Sabha on 5 August 2019, the Home Minister, **Shri Amit Shah** said Article 370 which was temporary in nature never allowed Jammu and Kashmir to integrate with India. It did not allow the backward and deprived people of the state to take the benefit of many central acts including reservation in employment and education. Since legislative powers of a state are vested in both Houses of Parliament during the President's rule in that state and since Jammu and Kashmir is under President's rule, Parliament needs to exercise the State's legislative power and pass the Bill, said the Home Minister.

Shri Bhupender Yadav (BJP) said the resolution to end Article 370 has been moved to establish social justice and welfare state in Jammu and Kashmir. Because of Article 370, several progressive legislations could not be implemented and the state became a victim of corruption and terrorism. While **Shri A. Navaneethakrishnan** (AIADMK) welcomed the Statutory Resolution and the Bill, **Shri Prasanna Acharya** (BJD) believed the initiatives will bring the state on par with the rest of India. **Shri Ram Nath Thakur** (JD-U) wanted the matter to be resolved through mutual discussions. **Shri Swapan Dasgupta** (Nominated) said this is a very proud day for the whole country as all citizens of the country have been made equal. **Shri Sanjay Raut** (Shiv Sena) believed the day will always be remembered for removing Article 370, a stigma for the

country. **Shri Satish Chandra Misra** (BSP) said minorities, backwards and Dalits of the country will now get the right to go to Jammu and Kashmir and take property there and be called residents.

Shri V. Vijayasai Reddy (YSR Congress) said the steps taken by the government will strengthen the sovereignty of the country, remove discrimination among citizens of India, bring peace and help in the development of Jammu and Kashmir. **Shri Biswajit Daimary** (BPF) said the Bill is absolutely essential for the law and order, sovereignty and security of the country. **Shri Vaiko** (MDMK) said it is a day of sorrow as the government has not kept its promise made to the people of Jammu and Kashmir. **Dr Subhash Chandra** (Independent) said lives have been lost in Kashmir only because of the Article 370 and its removal would help in bringing peace and development in the state. **Shri Amar Singh** (Independent) said the mistake of treating Jammu and Kashmir differently was made years ago and today is a historic day to correct that mistake. **Shri Birendra Prasad Baishya** (AGP) congratulated the government for this historic, bold and courageous step and believed a new journey will begin for Jammu and Kashmir.

Sardar Balwinder Singh Bhunder (SAD) supporting the government's moves asked for protecting the minorities. **Dr Subramanian Swamy** (BJP) said a great step has been taken today for the consolidation of the unity of India. What remains is to implement the Resolution unanimously passed by Parliament to take back the portions of Kashmir occupied



by Pakistan. **Shri Sasmit Patra** (BJD) said reorganising Jammu and Kashmir into two Union Territories will ensure their development and security. **Shri T.K. Rangarajan** (CPI-M) said the central government should have consulted the people of the state before bifurcating the state into two UTs. **Dr Narendra Jadhav** (Nominated) said the amendment of Article 370 will establish equality among all Indian citizens. **Prof. Manoj Kumar Jha** (RJD) asked the government to renounce ego and wholeheartedly embrace the Kashmiris. **Shri Tiruchi Siva** (DMK) described the statutory Resolution and the Bill as unconstitutional as Article 370 can be changed only with the consent of the state Legislature and presently there is no Legislature because of President's rule in the state. He was afraid that in future the government can reduce any state into a UT.

Shri Hishey Lachungpa (SDF) said the steps will definitely strengthen the unity and integrity of India. **Shri Shamsher Singh Manhas** (BJP) said the steps taken by the government will help in creating employment and provide citizenship to many entitled people. **Shri Kanakamedala Ravindra Kumar** (TDP) was happy that the demand of the people of Ladakh region for UT status has been fulfilled. Opposing the move, Leader of Opposition in Rajya Sabha, **Shri Ghulam Nabi Azad** (INC) alleged that by bringing this Bill, the NDA government has disintegrated

the integration achieved in the past 20 to 30 years. He said the government has betrayed the trust of the people of Kashmir who adopted secularism of India and did not prefer Pakistan despite being of same religion. **Shri Derek O'Brien** (TMC) termed the move as unconstitutional and a black day for parliamentary democracy as the Resolution and Bill were brought hastily without any consultation. **Shri Sushil Kumar Gupta** (AAP) said scrapping of Article 370 is in national interest. Describing the move taken in a hurry, **Prof. Ram Gopal Yadav** (SP) said had the government taken the political parties and public representatives of Kashmir in confidence, the doubts lurking in the mind of the people would not have been there.

The Minister of State **Dr Jitendra Singh** (BJP) described Article 370 as a miscarriage of history and one of the gravest blunders of the post independent India. **Shri Binoy Viswam** (CPI), referring to the move to create two UTs said no democratic government can think of doing politics in such a very ugly manner. Expressing shock at the haste in which the government tabled the Reorganization Bill, **Smt. Vandana Chavan** (NCP) said it would have been much better to bring it after discussion with the leaders of the state. **Shri Rakesh Sinha** (BJP) described Article 370 as a Himalayan blunder, a historic distortion that has been rectified today. **Shri P. Chidambaram** (INC), referring to the division of the

state into two UTs said it is the foremost duty of the Council of States to protect the rights of the States, and by protecting the rights of the States, protect the rights of the people of those States. In repealing Article 370, the government is unleashing the forces which it cannot control. **Shri K.K. Ragesh** (CPI-M) said the Bill tantamount to assassination of the Constitution and the democratic ethos and secular fabric of India. **Shri Abdul Wahab** (IUML) questioned the way the Bill has been brought before the House. **Shri C.M. Ramesh** (BJP) said the bifurcation of the state will be beneficial to the people of the region. The Minister of State, **Shri Ramdas Athawale** (RPI-A) observed the Bill should have been brought long before. **Shri Kapil Sibal** (INC) said what is called historic, only history will judge whether it is historic or not. The step of the government is going to remove the foundation of the Constitution.

The Minister of Finance, **Smt. Nirmala Sitharaman** (BJP) said the special status of Jammu and Kashmir starts and ends with discrimination against women, SC, and ST and for the last seventy years the country has been waiting for its removal. **Shri Jose K. Mani** (KC-M) said the dissolution of the state Assembly ensured that the President does not need to consult representatives of the people of Jammu & Kashmir as required by the Constitution. **Shri Amar Patnaik** (BJD) said the Resolution will bring the people of Jammu and Kashmir into the mainstream. Cabinet Minister **Shri Prakash Javadekar** (BJP) said the separate provisions made for Jammu and Kashmir created a feeling of separatism and prevented the benefits of several central Acts from reaching to the people.

Replying to the debate, the Minister of Home Affairs,

Shri Amit Shah, said Article 370 has done great harm to the people of Jammu and Kashmir and Ladakh. The refugees who went to Jammu and Kashmir have not got citizenship till date. Due to Article 370, democracy never percolated in Jammu and Kashmir, corruption flourished, and poverty became deep rooted. This section 370 is anti-women, anti-Dalit, anti-tribal and this is also the root of terrorism. Removal of obstacle of article 370 is necessary for developing Kashmir like the rest of the country. Despite not having clear majority in the Council of States, the government was able to get support for the Resolution and the Bill which were passed with very comfortable majority.

The Statutory Resolution and the *Jammu and Kashmir Reorganization Bill, 2019* were discussed in Lok Sabha on 6 August 2019. The Resolution was adopted, and the Bill was passed by a large majority.

Moving the motion for consideration of the Resolution and the Bill in Lok Sabha, **Shri Amit Shah** made it clear that Jammu and Kashmir is an integral part of India and no one can stop Parliament from framing laws for Jammu and Kashmir. Initiating the debate, **Shri Manish Tewari** (INC) said the Constitution of India provides that the Legislative Assembly and the Legislative Council of a state are required to be consulted before its bifurcation or any change in its boundaries but in this case Parliament is being directed to decide the future of Jammu and Kashmir by consulting itself. It is nothing but a constitutional tragedy. **Shri Jugal Kishore Sharma** (BJP) said Article 370 has given unemployment, corruption and terrorism to the people of Jammu and Kashmir and widened the gap between the state and rest of India. **Shri**

T.R. Baalu (DMK) said not consulting the state Legislature on the issue amounts to ignoring the will of the people. **Shri Sudip Bandyopadhyay** (AITC) said the government should have discussed the matter with the leaders of all the political parties before taking such a crucial step which has shaken the country. The Minister of State, **Dr Jitendra Singh** (BJP) said Article 370 was the gravest blunder in the post-independence India and this day will be remembered as a day of redemption. **Shri Kanumuru Raghu Ramakrishnaraju** (YSR Congress) said since provisions of Article 370 are temporary, there is no issue in their removal. Cabinet Minister **Shri Arvind Sawant** (Shiv Sena) welcomed the steps taken by the government.

Shri Rajiv Ranjan Singh (JD-U) said the government should not have touched this contentious issue in view of the prevailing situation in Jammu and Kashmir. **Shri Pinaki Misra** (BJD) said under Article 370(1)(d), many Presidential Orders with regard to Jammu and Kashmir have been issued and the Order of 2019 is of similar nature that supersedes all previous Orders. Cabinet Minister **Shri Pralhad Joshi** (BJP) said it is unfortunate to hear dissenting voices from the Congress Party while the whole nation is speaking in one voice on the issue. **Shri Girish Chandra** (BSP) was happy to support the Bill. **Shri Nama Nageswara Rao** (TRS) said today is a day of development as it would usher an era of employment, industrialization and development. **Smt. Supriya Sule** (NCP) wanted to know the timetable for holding elections in Jammu and Kashmir and wanted a Legislative Assembly for Ladakh as well. **Shri Akhilesh Yadav** (SP) criticized the situation

in Jammu and Kashmir and wanted to know whether people of Kashmir were happy with the move. **Shri Hasnain Masoodi** (J&K NC) also opposed the government's decision saying that the trust of Jammu and Kashmir has been broken.

Shri P. K. Kunhalikutty (IUML) said the steps taken by the government will have serious implications. **Shri Jamyang Tsering Namgyal** (BJP) said it is a historic day as the historical mistake has been rectified. Stating that Article 370 has been misused against the minorities in Jammu and Kashmir, he said this is for the first time that a government is listening to Ladakh people's sentiments. **Shri Chirag Kumar Paswan** (LJSP) said the state will now join the journey of development and progress. **Dr Shashi Tharoor** (INC) alleged the Bill has been brought without consulting the local parties, the State Legislature and democratically elected political leaders. No doubt Jammu and Kashmir is an integral part of India but the way the government has brought the Bill is an affront to the values as a democracy. **Shri Jayadev Galla** (TDP) said the move will lead to complete integration of Jammu and Kashmir into India with one flag and one Constitution. **Shri Sukhbir Singh Badal** (SAD) said his party stands for a strong federal set up and a strong and united India. **Smt. Anupriya Patel** (Apna Dal) said Article 370 prevented implementation of many central laws in Kashmir and bonding with the rest of the country. **Shri M. Selvaraj** (CPI) regretted that the autonomy given to the state for certain specific reasons has been snatched away. **Shri P. Raveendranath Kumar** (AIADMK) said the steps taken by the government will liberate women, children and youth of Jammu and Kashmir.



Adv. A. M. Ariff (CPI-M) said this is the biggest attack on national unity and the concept of India as a Union of States. **Dr Sanjay Jaiswal** (BJP) said it is because of Article 370 people who went to Kashmir are still nomads even after 70 years and the Bill will deliver justice to those people. **Shri Asaduddin Owaisi** (AIMIM) said the BJP has lived up to its electoral promise made in their manifesto, but it has not lived up to its constitutional duties.

Shri Hanuman Beniwal (RLP) praised the government for its decision to make Jammu and Kashmir and Ladakh separate UTs. **Smt. Navneet Ravi Rana** (Independent) felt real independence will come with the passage of the Bill. **Shri Ramesh Bidhuri** (BJP) accused the Congress party and two families from Jammu and Kashmir for the present situation in the state. **Dr Nishikant Dubey** (BJP) said it is because of the mistake of the Congress party the country has suffered so much and the mistake has been corrected today. **Shri Vinayak Bhaurao Raut** (Shiv Sena) said the people of Kashmir have achieved freedom in the true sense today. **Shri N.K. Premachandran** (RSP) said the Resolution and Bill are

unconstitutional and ultra vires leading to the disintegration of Jammu and Kashmir state. Cabinet Minister **Shri Ravi Shankar Prasad** (BJP) said removal of certain provisions of Article 370 will lead to the implementation of many schemes aimed at ensuring welfare of the masses at large.

The Home Minister, **Shri Amit Shah**, in his reply said Article 370 has created a suspicion in the minds of the citizens and people living abroad about the real status of Jammu and Kashmir. The feeling of alienation and terrorism in Jammu and Kashmir has its roots in Article 370. Because of this Article, the government of India has not been able to apply several constitutional reforms and many Acts to the Jammu and Kashmir. He assured that the status of a full-fledged state will be restored to the Jammu and Kashmir as soon as the circumstances permit. He requested the House to think afresh about Article 370 and grant opportunities for development to the people of the valley, Ladakh and Jammu.

The Jammu and Kashmir Reorganization Act, 2019 received the assent of the President on the 9 August 2019 paving the way for creation of two Union Territories - Jammu and Kashmir, and Ladakh.

THIRD READING: INDIA

The Banning of Unregulated Deposit Schemes Bill, 2019

Non-banking entities are allowed to raise deposits from the public under the provisions of various statutes enacted by the Central Government and the State Governments. However, the regulatory framework for deposit taking activity in the country is not seamless. The regulators operate in well defined areas within the financial sector by regulating particular kinds of entities or activities. For instance, Non-Banking Financial Companies are under the regulatory and supervisory jurisdiction of the Reserve Bank of India. Similarly, Chit Funds, Money Circulation including multi-level marketing schemes and schemes offered by co-operative societies are under the domain of the respective State Governments. In the same manner, the Collective Investment Schemes come under the purview of the Securities and Exchange Board of India. It had, however, been found that despite such diverse regulatory framework, schemes and arrangements leading to unauthorised collection of money and deposits fraudulently, by inducing public to invest in uncertain schemes promising high returns or other benefits, are still operating in the society.

The Central legislations such as the *Prize Chits and Money Circulation Schemes (Banning) Act, 1978* and the *Chit Funds Act, 1982* and the legislations enacted by the State Governments had not been able to completely address the issue of unregulated deposit schemes run by unscrupulous elements. This regulatory gap was highlighted in the twenty-first Report of the Parliamentary Related Standing Committee on Finance (Sixteenth Lok Sabha). The said Committee in its Report had recommended the requirement of "appropriate legislative provisions, coupled with effective administrative and enforcement measures in order to protect the hard-earned savings and investments made by millions of people." Presently, there are considerable variations among State laws in protecting the interests of depositors, and many unregulated deposit taking schemes operate across State boundaries.

In view of the above, Government had come to a view that it had become necessary to have a Central legislation to ensure a comprehensive ban on unregulated deposit taking activity and

for its effective enforcement. The Banning of Unregulated Deposit Schemes Bill, 2018 was introduced in the Lok Sabha on 18 July 2018. The said Bill was referred to the Standing Committee on Finance on 10 August 2018 for examination and report thereon. The Bill along with the amendments as recommended by the said Standing Committee was considered and passed in the Sixteenth Lok Sabha on 13 February 2019. However, the Bill could not be considered and passed in the Rajya Sabha. Since, it was extremely critical to tackle the menace of illicit deposit taking activities in the country, the Banning of Unregulated Deposit Schemes Ordinance, 2019 was promulgated by the President on 21 February 2019 in exercise of his powers under article 123 of the Constitution of India.

Accordingly, the Government brought forward the Banning of Unregulated Deposit Schemes Bill, 2019. The Ordinance Replacing Bill aimed at preventing unregulated deposit schemes or arrangements at their inception and at the same time makes soliciting, inviting or accepting deposits pursuant to an unregulated deposit scheme as a punishable offence. The Bill sought to put in place a mechanism by which the depositors can be repaid without delay by attaching the assets of the defaulting establishments. The Bill also provided that its provisions would not apply to deposits taken in the ordinary course of business in order to ensure that various entities are able to take deposits in their ordinary course of business without any difficulty. The objective of the Bill was to ensure that no hardship is caused to genuine businesses, or to individuals borrowing money from their relatives or friends for personal reasons or to tide over a crisis.

During the discussion on the Bill in Parliament the Minister in-charge piloting the Bill *inter alia* stated that the Bill has been brought to prevent the grabbing of hard-earned money of millions of poor and innocent people across the country through unregulated deposit schemes. However, this Bill was passed on 13 February 2019 during the 16th Lok Sabha after having a comprehensive discussion in this regard. But due to paucity of time, Rajya Sabha could not pass the Bill and then the tenure of 16th Lok Sabha came to an end. So the Government had to promulgate an Ordinance. The Government had brought a comprehensive

Bill wherein foremost right would lie with the depositor. For this purpose, time limit had also been prescribed for taking action and authorities had also been designated. Similarly, power to frame rules had also been conferred to the states.

The Minister while replying to the debate *inter alia* clarified that the Bill is about banning of unregulated deposit schemes. The deposits taken in the ordinary course of business are not banned under the Bill. This is to ensure that common people who are in need, do not face any hardship. So, this had been taken care of in the Bill. Priority had been given to the depositor on priority basis. The interest of the poor had been protected under the Bill.

The Bill was passed by Lok Sabha on 24 July 2019 and by Rajya Sabha on 29 August 2019. The Bill as passed by both Houses of Parliament was assented to by the President of India on 31 July 2019.

The Muslim Women (Protection of Rights on Marriage) Bill, 2019

The Supreme Court of India in the matter of *Shayara Bano Vs. Union of India* and others and other connected matters, on 22 August 2017, in a majority judgment of 3:2, set aside the practice of *talaq-e-biddat* (three pronouncements of *talaq*, at one and the same time) practiced by certain Muslim husbands to divorce their wives. This judgment gave a boost to liberate Indian Muslim women from the age-old practice of capricious and whimsical method of divorce, by some Muslim men, leaving no room for reconciliation.

The petitioner in the mentioned said case challenged, *inter alia*, *talaq-e-biddat* on the grounds that the said practice is discriminatory and against dignity of women. The judgment vindicated the position taken by the Government of India that *talaq-e-biddat* is against constitutional morality, dignity of women and the principles of gender equality, as also against gender equity guaranteed under the Constitution. The All India Muslim Personal Law Board (AIMPLB), which was the 7th respondent in the case, in their affidavit, *inter alia*, contended that it was not for the judiciary to decide matters of religious practices such as *talaq-e-biddat*, but for the Legislature to make any law on the same. They had also submitted in the Supreme Court that they would issue advisories to

the members of the community against this practice.

In spite of the Supreme Court setting aside *talaq-e-biddat*, and the assurance of AIMPLB, there had been reports of divorce by way of *talaq-e-biddat* from different parts of the country. It was seen that setting aside *talaq-e-biddat* by the Supreme Court had not worked as any deterrent in bringing down the number of divorces by this practice among certain Muslims. It was, therefore, felt that there was a need for State action to give effect to the order of the Supreme Court and to redress the grievances of victims of illegal divorce. Therefore, to protect the rights of married Muslim women who are being divorced by triple talaq, a Bill, namely, the *Muslim Women (Protection of Rights on Marriage) Bill, 2017*, was introduced in, and passed by, the Lok Sabha on 28 December 2017 and was pending in Rajya Sabha.

The aforesaid Bill proposed to declare the practice of triple talaq as void and illegal and made it an offence punishable with imprisonment up to three years and fine, and triable by a Judicial Magistrate of the first class. It was also proposed to provide subsistence allowance to married Muslim women and dependent children and also for the custody of minor children. The Bill further provided to make the offence cognizable and non-bailable. However, apprehensions had been raised in

and outside Parliament regarding the provisions of the pending Bill which enables any person to give information to an officer in charge of a police station to take cognizance of the offence and making the offence non-bailable.

In order to address the above concerns, it had been decided to make the offence cognizable, if the information relating to the commission of an offence is given to an officer in-charge of a police station by the married Muslim women upon whom talaq is pronounced or any person related to her by blood or marriage. It was also decided to make the offence non-bailable and compoundable at the instance of the married Muslim woman with the permission of the Magistrate, on such terms and conditions as he might determine.

As the Bill was pending for consideration in Rajya Sabha and the practice of divorce by triple talaq (i.e., *talaq-e-biddat*) was continuing, there was an urgent need to take immediate action to prevent such practice by making stringent provisions in the law. Since both Houses of Parliament were not in session and circumstances existed which rendered it necessary for the President to take immediate action in the matter, the Muslim Women (Protection of Rights on Marriage) Ordinance, 2018 with aforesaid changes was promulgated on the 19 September 2018.

The Minister in-charge while piloting the Bill

inter alia stated that the Bill has been brought forward to protect the rights of married Muslim Women and to prohibit divorce by pronouncing *talaq* by their husbands and to provide for matters connected therewith or incidental thereto. The Minister wondered that if more than 20 Islamic countries in the world have controlled triple *talaq* then why India, being a secular country, cannot do it? He observed that justice for women has been the care philosophy of the Indian constitution. This matter should not be looked at with political or religious glasses. It is a question of justice and humanity. This matter is neither political nor religious but one of women's justice, women's dignity and respect.

In favour of the Bill it was asserted that the Constitutional legislation is not for a particular community, it is for the people of India. This law is for all the citizens of India. A number of problems were faced and many controversies were created in enactment of that law. Despite all this, that law enacted. Charges were brought in the society and women got their rights. There is only one religion of the country and that is the Constitution of India. Also that how could a parallel judiciary exist in the country when judicial role is assigned to the Judiciary under the Constitution of India. Further that the Muslim women were left out of the process of changes which happened in the Hindu society. To bring the changes, somebody had to initiate.



It was, therefore, averred that all needed to understand this aspect that women of this country are the biggest minority in this country. It was, therefore, incumbent upon us to secure justice for them.

In August 2017, the Supreme Court had clearly declared the pronouncing of triple *talaq* as unconstitutional. There is, however, no point in criminalizing this offence and it does not carry out value and that too with a three years jail term is totally uncalled for. The procedure for the break-up of the marriage should also be civil in nature. It was also argued that the Supreme Court of India had pronounced the *talaq-e-biddat* as unconstitutional. A number of other judgements delivered by the various courts of the country have pronounced this practice as unconstitutional. But, there is not a single judgement where it had been said that the Government should make the *talaq-e-biddat* a criminal offence.

The Minister in his reply explained the circumstances in which ordinances were required to be promulgated. While thanking members for their active participation during the structured debate *inter alia* stated that it has been asked as to why this Bill has been brought exclusively in the case of Muslims. He then clarified that it was only so because practice of triple *talaq* is prevalent only in this community and in no other community. A number of changes were made in Hindu law after discussion in 1955. This very House passed it. He further stated that the triple *talaq* has been controlled in more than 20 Islamic countries. There should be legal provisions to lodge criminal complaint and take legal action in this matter. There should be legal provision to lodge such complaint and take legal action in the matter. Provision has been made that such complaint can only be filed by victim women or their blood relatives or in-laws. Provision for compromise has also been made in the Bill.

The Amending Bill was passed by Lok Sabha on 25 July 2019 and by Rajya Sabha on 30 July, 2019. The Bill as passed by both Houses of Parliament was assented to by the President of India on 31 July 2019. Accordingly, the *Protection of Human Rights (Amendment) Bill, 2019* stood amended.

The Protection of Human Rights (Amendment) Bill, 2019

The *Protection of Human Rights Act, 1993* was enacted to provide for the constitution of a

National Human Rights Commission, the State Human Rights Commissions and the Human Rights Courts for protection of human rights.

The National Human Rights Commission had proposed certain amendments to the Act to address the concerns raised by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions on the re-accreditation status of the said Commission. Besides this, certain State Governments had also proposed for amendment of the Act, as they had been facing difficulties in finding suitable candidates to the post of Chairperson of the respective State Commissions owing to the existing eligibility criteria to the said post.

In view of this position, a view emerged that it had become necessary to amend certain provisions of the said Act. The proposed amendments were intended to enable both the Commission as well as the State Commissions to be more compliant with the Paris Principles concerning its autonomy, independence, pluralism and wide-ranging functions in order to effectively protect and promote human rights.

The Government accordingly brought forward the Amending Legislation *viz.* the *Protection of Human Rights (Amendment) Bill, 2019*. During discussion on the Amending Legislation in both Houses of Parliament, the Minister in-charge of the Bill while piloting the Bill *inter alia* stated that the Government is committed towards human beings and humanity. The objective of the Bill is to make National Human Rights Commission and State Human Rights Commissions more capable and comprehensive and ensure representation of different sections. In the Bill there is proposal to reduce the term of Chairpersons and members of National Human Rights Commission and State Human Rights Commissions from five years to three years. Provision has been made to transfer the work related to human rights of the Union territories (except Delhi) to the State Human Rights Commissions to strengthen the functioning of National Human Rights Commission, a provision had also been made to empower its Secretary-General and Secretary of State Human Rights Commission with administrative and financial power. Through these provisions, an effort had been made to further protect the human rights by providing more powers to the National Human Rights Commission and State Human Rights Commissions.

Replying to the discussion the Minister *inter alia* stated the Amending Bill had been brought in to safeguard the rights of the citizens through human rights by edifying and simplifying the complexities involved. Insofar as the demand of women empowerment and their adequate representation is concerned, the Bill contained the provision of having one more female member on board other than the Chairperson of the Commission for women. With a view to affording more powers to the civil society, the number of representatives from civil society had been enhanced from two to three. This would certainly lead to the increased participation of civil society and protect and strengthen social and human rights.

The Amending Bill was passed by Lok Sabha on 19 July 2019 and by Rajya Sabha on 22 July 2019. The Bill as passed by both Houses of Parliament was assented to by the President of India on 27 July 2019. Accordingly, the *Protection of Human Rights (Amendment) Bill, 2019* stood amended.

The Repealing and Amending Bill, 2019

This Bill is one of those periodical measures by which enactments, which had ceased to be in force or had become obsolete or the retention whereof as separate Acts is unnecessary are repealed or by which the formal defects detected in enactments are corrected. The Government accordingly brought forward the *Repealing and Amending Bill, 2019*.

As per section 2 of the Bill, 25 Bills which were found to have been outlived in their utility, had been proposed to be repealed. These Bills had been listed in the First Schedule to the Bill.

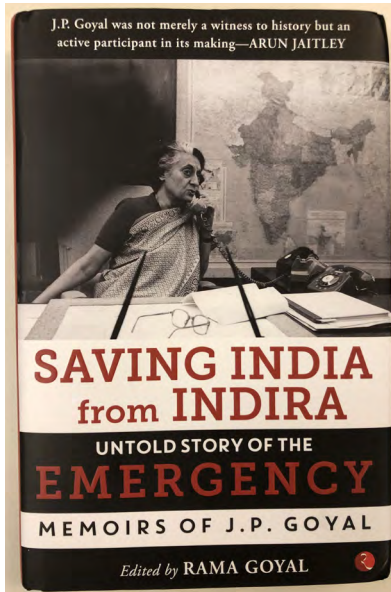
During the debate in both Houses of Parliament, the Minister in-charge of the Bill *inter alia* stated that the Government were in the process of repealing 58 laws through this Repealing and Amending Bill. The Minister also stated that 1,428 archaic laws had been repealed so far since the Government came to power. The majority of these laws were enacted during the British rule. The Minister requested the House that this is a very historic work and that it be passed unanimously. There emerged a broad consensus among Members in regard to the Repealing and Amending Bill.

The Amending Bill was passed by Lok Sabha on 29 July 2019 and by Rajya Sabha on 2 August 2019. The Bill as passed by both Houses of Parliament was assented to by the President of India on 8 August 2019.



The Parliamentarian: Book Review

'Saving India from Indira: Untold Story of The Emergency'



Title: **Saving India from Indira: Untold Story of the Emergency - Memoirs of J.P. Goyal**

Author: **Rama Goyal (ed.)**

Published by Rupa Publications India Pvt. Ltd, New Delhi. Price: Rs 500/-

Book Review by General V.K. Singh (Retd.), MP

Each year on the anniversary of The Emergency (1975–77) in India, which was imposed on 25 June 1975, many articles and sometimes books come out on the events during the Emergency. The Emergency was the darkest period in Indian democracy. The book under review here, *Saving India from Indira: Untold Story of the Emergency - Memoirs of J. P. Goyal* (edited by Rama Goyal, economist and editor – she is the daughter of J.P. Goyal), is not just another book on The Emergency. It rises above other existing books on the subject by providing an insider's narration of the events before and during The Emergency. It is penned

by Mr J.P. Goyal, a legal luminary who was Senior Advocate in the Supreme Court of India. He later went on to serve as Member of Parliament in the Rajya Sabha, the Upper House of the Parliament of India. The book is a no-holds barred account of a crucial insider and provides a gripping narrative.

In 1971, Mrs Indira Gandhi, the then Prime Minister of India, won the election to the Lok Sabha from her constituency Rae Bareilly and was chosen by her party to continue as the Prime Minister of India. Raj Narain, her principal opponent in her Lok Sabha constituency, filed an election petition challenging Mrs Indira Gandhi's election to the Lok Sabha on various counts of election malpractice. The case resulted in her election to the Lok Sabha (Lower House) being declared as 'void' by the Allahabad High Court on 12 June 1975 on two counts of corrupt practices employed by her during her election campaign in 1971. Mrs Indira Gandhi obtained a stay order on the judgement for 20 days and appealed to the Supreme Court of India, the highest court in India. The judgement of the Supreme Court on 25 June 1975 on her appeal was the immediate catalyst for the imposition of The Emergency on 25 June 1975 just before midnight at her behest. Political leaders and workers of the Opposition parties were imprisoned overnight, press censorship imposed, and civil liberties curtailed through various amendments to the Constitution of India. What followed was a

reign of terror unprecedented in independent India. Forcible sterilisations, demolition of houses, and arrests without assigning any reasons were rampant during the 21 months of The Emergency. People of India reacted by delivering a resounding defeat to Mrs Gandhi in the elections held in March 1977 and voted her party out of power.

Mr J. P. Goyal was a key lawyer for Raj Narain in his election petition against Mrs Indira Gandhi, having been his lawyer since 1960. He played a principal part in the prosecution of Raj Narain's case against Mrs Indira Gandhi and in subsequent legal matters during The Emergency period thereafter. He played a most crucial role in the events leading up to Mrs Indira Gandhi losing the election case in the Allahabad High Court. An attempt was made to review a judgement of the Supreme Court that protected the basic structure of the Constitution by a wrongfully constituted 13-judge Bench of the Supreme Court of India. Mr J.P Goyal played a central and crucial role in thwarting this attempt and ensured that the basic structure of the Constitution was not trampled upon and Fundamental Rights enshrined therein are preserved. During The Emergency period, he used to visit the political leaders detained in jails and became the go-to person for the relatives and friends of many of the leaders and workers in jail. He was in the forefront of the battle against The Emergency.

Mr. J. P. Goyal expired in September 2013, leaving behind a file of papers in the form of a

memoir dictated by him in 1979 on these events leading up to and during the Emergency. While he made no attempt to publish them in his lifetime, the papers were found by his daughter, Ms Rama Goyal, who prepared them for publication. It is these papers that are now published in the form of the book under review.

The book provides an authentic first-person account of the events leading up to and during The Emergency. It reveals many hitherto unknown facts that Mr Goyal was privy to and the twists and turns in the legal case and the legal and political strategies involved in the fight against The Emergency. Mr Goyal points out that he felt the necessity of writing his memoirs after the publication of an incomplete and incorrect description of events leading up to The Emergency. At one point, the election case against Mrs Indira Gandhi had been rendered almost futile by a perverse order of the presiding judge in the Allahabad High Court, wherein the judge recalled his own order without any reference, rhyme or reason. Mr Goyal writes about how he pursued the matter in the Supreme Court that restored propriety in the case. In another chapter, Mr Goyal gives a detailed narration of the manner in which Raj Narain was arrested in the wee hours of the morning after the imposition of The Emergency, which Mr Goyal was witness to. Mr Goyal provides an account of meeting political leaders in jail, most notably Jayaprakash Narayan, who became so unwell in jail that he had to be released on parole and remained ill thereafter. In another chapter, Mr Goyal



provides details of the strategy employed by him and his lawyer colleagues to successfully thwart the wrongful attempt by the then Chief Justice of India to review and amend the Kesavananda Bharati judgement of 1973 that protected the basic features of the Constitution. If this attempt of the Chief Justice had been successful, then any amendment to the Constitution of India could have been made, including declaring India to be a dynastic monarchy for all times to come. Mr Goyal provides a brilliant blow-by-blow account of how this attempt was thwarted and democracy saved in India.

The book is endorsed by two luminaries, Mr Arun Jaitley and Lord Meghnad Desai, who have both written separate Forewords to the book. Mr Arun Jaitley, former Minister of Finance and Corporate Affairs

of the Government of India, who unfortunately passed away in August 2019 soon after the book's publication in June 2019, states that '*before and during The Emergency, he (Mr J.P. Goyal) was not merely a witness to history but an active participant in the making of history*' and that, '*having witnessed the ups, downs and manoeuvres in all these cases, he was one who was fully competent and uniquely placed to write his memoirs and leave it for the benefit of future generations.*' Mr Jaitley, a leading lawyer and politician himself, had been imprisoned on 26 June 1975 for organising the first protest against The Emergency, and was in prison for 19 months during The Emergency. Being familiar with the events and rigours of The Emergency himself and being a lawyer, he was uniquely placed to comment on the book.

Lord Meghnad Desai, a Member of the House of Lords of the United Kingdom, describes the book in his Foreword as '*a gem of a book, an heirloom*'. Writing that '*a small number of hardy lawyers fought to limit the damage that she (Indira Gandhi) could do*', he states '*we should be grateful to Shri J.P. Goyal and his friends, and their example should not just be remembered but emulated when and if the need arises*'.

The book is well buttressed with a detailed set of Appendices, documents from the proclamation of The Emergency, press censorship etc. The Editor's Notes at the end of each chapter provide nuanced details on various events and legal terminology mentioned in the main text, making it an easy read for a non-lawyer too. The book will be of interest to anyone interested in the legal

and political history of India in the 1970s, especially the period of The Emergency in India. The legal and political history of the darkest period in post-independence India provides lessons for everyone to be on guard to prevent such occurrences happening again. The book provides an example of non-violent resistance to authoritarian rule and is a must-read book.

General Vijay Kumar Singh, PVSM, AVSM, YSM, ADC, MP is an Indian politician and a retired four-star general in the Indian Army. He is currently serving as the Minister of State for Road Transport and Highways in the Government of India. During his military career, Singh served as the 24th Chief of the Army Staff from 2010 to 2012. He has written an autobiography, '*Courage and Conviction*'.



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