

TheParliamentarian



Journal of the Parliaments of the Commonwealth

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SPECIAL CENTENARY ISSUE: A century of publishing *The Parliamentarian*, the Journal of Commonwealth Parliaments, 1920-2020

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CPA Masterclasses

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

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Commonwealth Parliamentary Association (CPA)
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STATEMENT OF PURPOSE

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

Calendar of Forthcoming Events

Confirmed as of 24 February 2020

2020

March

Sunday 8 March 2020 International Women's Day
 Monday 9 March 2020 Commonwealth Day
 17 to 19 March 2020 Commonwealth Association of Public Accounts Committees (CAPAC) Conference, London, UK

April

24 to 28 April 2020 Mid-Year meeting of the CPA Executive Committee, Assam, India

May

27 to 30 May 2020 49th CPA British Islands and Mediterranean Regional Conference, Valletta, Malta

June

22 to 27 June 2020 Commonwealth Heads of Government Meeting (CHOGM), Kigali, Rwanda including: Commonwealth Youth Forum (21-23 June); Commonwealth Women's Forum (22-23 June); Commonwealth People's Forum (22-24 June); and Commonwealth Business Forum (23-25 June)

July

10 to 18 July 2020 45th CPA Caribbean, Americas & Atlantic Regional Conference, Providenciales, Turks & Caicos
 18 to 24 July 2020 58th CPA Canada Regional Conference, Toronto, Ontario, Canada
 20 to 23 July 2020 CPA Pacific and Australia Region Presiding Officers and Clerks Conference (POCC), Fiji
 20 to 26 July 2020 51st CPA Africa Regional Conference, Abuja, Nigeria

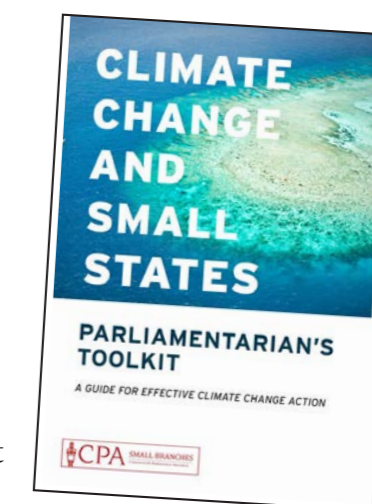
2021

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.

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- CPA Small Branches Workshop on Sustainable Economic Development in Malta
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- 10th Commonwealth Youth Parliament in India
- 7th CPA India Regional Conference in Uttar Pradesh
- 68th Westminster Seminar on Effective Parliaments in London
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MARKING 100 YEARS OF PUBLISHING *THE PARLIAMENTARIAN*, THE JOURNAL OF COMMONWEALTH PARLIAMENTS

The Editor's Note

When this journal was first published in January 1920 as the *Journal of Parliaments of the Empire*, the world was a very different place and the Commonwealth Parliamentary Association (CPA), which had been founded in 1911, was a small group of nations and territories. The last 100 years have seen the CPA's membership grow to 180 Branches in 54 Commonwealth countries and includes more than 125 sub-national states, provinces and territories, all with their own Parliaments or Legislatures.

Through this period, the journal has evolved from the *Journal of Parliaments of the Empire* to the *Journal of the Parliaments of the Commonwealth* to today's title as *The Parliamentarian*, yet it has continued to be the journal of record of the activities of the CPA, reporting on its membership of Commonwealth Parliaments and Legislatures. *The Parliamentarian* provides reporting on advances in democratic governance and is a forum for the sharing of best practice amongst its membership, with the continuing ethos of articles written by Parliamentarians, parliamentary staff and experts from international organisations for the benefit of their peers and the wider parliamentary community. At the same time, the CPA would take on the professional development role, not just for new Parliamentarians in emerging Assemblies, but for all Parliamentarians throughout the Commonwealth.

As outlined by the **Acting CPA Secretary-General, Mr Jarvis Matiya** in his *View* article in this issue: "Over the years the publication has continued to be a mouthpiece for the Commonwealth Parliamentary Association (CPA) and a forum for Parliamentarians to articulate and discuss developments on parliamentary procedures and practices, democracy, good governance and human rights."

"Through this period, the journal has evolved from the *Journal of Parliaments of the Empire* to the *Journal of the Parliaments of the Commonwealth* to today's title as *The Parliamentarian*, yet it has continued to be the journal of record of the activities of the CPA, reporting on its membership of Commonwealth Parliaments and Legislatures."



Jeffrey Hyland, Editor
The Parliamentarian,
Commonwealth
Parliamentary Association

These Commonwealth values have developed over many years and are codified in the 2012 Commonwealth Charter and the CPA has continued to demonstrate its commitment to promote and ensure that these Commonwealth democratic principles and values are "upheld, nurtured and implemented to the highest standards."

The **Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC** writing in this issue of *The Parliamentarian* recognises the role of the CPA and its journal in promoting the values of the Commonwealth: "With such depth of connection comes fruitful cooperation: nations growing together and encouraging one another towards higher attainment, with firmer fulfilment and closer adherence to the values and principles of the Commonwealth Charter. This edition of *The Parliamentarian*, marking the 100th anniversary of the first publication of the *Journal of Commonwealth Parliaments*, reminds us of the long record of cooperation and sense of collegiality among the Parliaments and Legislatures of our member

countries. Valuable bilateral exchanges and international meetings of those elected or appointed to represent our citizens, and of officials who serve Parliaments and Legislative Assemblies, are augmented by journals, periodicals and other publications which help to disseminate news of progress and innovation."

The Parliamentarian is vital not only for sharing information amongst Parliamentarians and other stakeholders, but it is also instrumental in enabling the CPA to fulfil its statement of purpose to "connect, develop, promote and support Parliamentarians and their staff to identify benchmarks of good governance and the implementation of the enduring values of the Commonwealth." Through the publication, Members exchange views and deepen their understanding of contemporary democratic and development issues, as well as their roles and responsibilities as peoples' representatives.

Today, *The Parliamentarian* continues to be published for the benefit of the Association, reaching around 17,000 Parliamentarians and parliamentary staff in the CPA's 180 Parliaments and Legislatures in both print and digital format. Subscribers also include academia interested in political science, research libraries and global organisations.

In this issue of *The Parliamentarian*, the **Chairperson of the Commonwealth Parliamentary Association (CPA) Executive Committee, Hon. Emilia Monjowa Lifaka, MP** (Cameroon) in her *View* article writes about looking to the Commonwealth's future and the importance of youth engagement following her visit to the 10th Commonwealth Youth Parliament at the Delhi Legislative Assembly in India.



Please turn to page 24 to read a feature article on 'A century of publishing *The Parliamentarian*, the *Journal of Commonwealth Parliaments*, 1920-2020'.

The recently elected **Chairperson of the Commonwealth Women Parliamentarians (CWP), Hon. Shandana Gulzar Khan, MNA** (Pakistan) in her first *View* article for *The Parliamentarian* writes about creating a new vision for Commonwealth Women Parliamentarians.

The recently elected **CPA Small Branches Chairperson, Hon. Niki Rattle**, Speaker of the Parliament of the Cook Islands writes about the work of the CPA Small Branches network and asks 'how can the small Parliaments of the Commonwealth deliver with limited resources to deepen democratic governance in the 21st century?' in her first *View* article for this publication.

The **Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC** looks ahead to the Commonwealth Heads of Government Meeting (CHOGM) 2020 in Rwanda later this year and its theme of 'Delivering a Common Future: Connecting, Innovating, Transforming'.

The Deputy Chief Minister of Gibraltar, **Hon. Dr Joseph Garcia, MP** writes about future links being built in the Commonwealth in the post-Brexit world.

The Llywydd (Presiding Officer) of the National Assembly for Wales, **Elin Jones, AM** writes about the introduction of a historic Act in the Welsh Assembly that will bring institutional changes including votes for 16 and 17 year olds.

Many Parliaments around the world are introducing reforms designed to re-engage with their communities and one key reform is the modernisation of parliamentary petition systems. **Chris Angus**, Research Officer at the New South Wales Parliamentary Research Service, writes about the petition system reforms being introduced at the Parliament of New South Wales, Australia.

Former Parliamentarian, **Rt Hon. Nick Herbert** is the Chair of the Global Equality Caucus and writes about its work in promoting global equality for LGBT+ citizens.

Researchers **Siphelo Mbeki** and **Shanelle van der Berg** from the South African Human Rights Commission write about the need to eradicate inequality in South Africa and look at the role that Parliamentarians can play in meeting social, political and economic targets.

CPA news reports in this issue include: 38th CPA Australia and Pacific Regional Conference in South Australia; CPA Small Branches Workshop on Sustainable Economic Development in Malta; the launch of the CPA Small Branches Climate Change Toolkit for

Parliamentarians; the 25th Conference of Speakers and Presiding Officers of the Commonwealth in Canada; 10th Commonwealth Youth Parliament in India; 7th CPA India Regional Conference in Uttar Pradesh; 68th Westminster Seminar on Effective Parliaments in London; the CPA Caribbean, Americas and Atlantic Regional Workshop of the Commonwealth Association of Public Accounts Committees (CAPAC) in Trinidad and Tobago; the inaugural Regional Parliamentary Human Resources Forum in New Zealand; CPA UK Modern Slavery Project Workshop in Western Australia; Pacific Parliamentary Forum in New Zealand; and the 28th Asia-Pacific Parliamentary Forum in Australia.

This issue of *The Parliamentarian* features news and reports of Commonwealth Women Parliamentarians (CWP) activities including cross-party support for legislation defining Female Genital Mutilation in New Zealand; Commonwealth Women Parliamentarians from Pakistan visiting the UK Parliament for a study visit exploring women and gender in legislation; CWP British Islands and Mediterranean Regional Steering Committee held in Scotland; 3rd CWP Australia Regional Conference in South Australia held on the theme of '125 years towards getting even'; and the CWP Chairperson building partnership links for gender equality with international organisations based in Paris.

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

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

Jeffrey Hyland
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This special centenary issue of *The Parliamentarian* features a full CPA Branch Directory - please turn to the back pages of this publication for further information. Online listing can also be found in the CPA Directory at: www.cpahq.org/cpahq/directory.



LOOKING TO THE COMMONWEALTH'S FUTURE AND THE IMPORTANCE OF YOUTH ENGAGEMENT

View from the CPA Chairperson

Prior to the formation of the Commonwealth, there have always been shared values, some of which stem from the fabric of our societies and cultures and others which were learned from our various and continuous interactions across cultures. Today, those values include fairness, prosperity, unity, democracy, freedom of speech, the rule of law and good governance amongst others – all of which are embodied by the Commonwealth and remain the driving force behind the goals of the Commonwealth Parliamentary Association in its aim to strengthen our Parliaments and Legislatures.

As we evolve as an organisation, so do the different challenges we face. While we celebrate our achievements, we should also recognise the challenges that we face today as an Association. The Commonwealth provides us with a platform to unite in order to efficiently and effectively tackle these global issues. Our diversity is our strength and our shared values will ensure that we are able to secure our long-term future.

Academic Stephen Covey said: "Strength lies in differences, not similarities." As an organisation, we are 54 nations, 2.4 billion inhabitants and over 2,000 cultures strong. That to me is what continues to make the Commonwealth relevant. It is why we strive to find common solutions to global issues like climate change, international trade negotiations and peace and security. In an ever changing, growing and challenging world, it is imperative not to forget the relevance of the Commonwealth and the role of each and every nation in building and shaping a better world.

"As we evolve as an organisation, so do the different challenges we face. While we celebrate our achievements, we should also recognise the challenges that we face today as an Association. The Commonwealth provides us with a platform to unite in order to efficiently and effectively tackle these global issues. Our diversity is our strength and our shared values will ensure that we are able to secure our long-term future."



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

As we mark the 100th anniversary of the first publication of *The Parliamentarian*, the Journal of Commonwealth Parliaments, we are reminded of the role of the Commonwealth Parliamentary Association in furthering democratic governance, accountability and parliamentary democracy through common values, the sharing of best practice and continued professional development.

Our future leaders are one of the key strands of work that the Commonwealth Parliamentary Association continues to emphasise. Of the Commonwealth's combined population of more than 2.4 billion, more than 60% are under 30 years of age. The Commonwealth sees young people as assets to a country's development who should be empowered to realise their potential. For the Commonwealth Parliamentary Association, as an

Association primarily for Parliamentarians, we recognise that young people have a proven capability to lead change and are a vital and valuable investment for now and the future.

On behalf of the CPA, I had the great pleasure to attend the recent 10th Commonwealth Youth Parliament, hosted by the Legislative Assembly of Delhi and CPA Delhi Branch.

Being in India for the landmark 10th Commonwealth Youth Parliament was particularly poignant, especially as India is the largest democracy in the world. At the 2019 election in India, a breath-taking 600 million people voted. Furthermore, as we celebrated the 70th anniversary of the London Declaration and the foundation of the 'modern' Commonwealth last year, it was important to consider the significant role that the newly founded state of India played in 1949. It was therefore appropriate that the 10th Commonwealth Youth Parliament was held in India.

India, which has one of the fastest growing economies in the world today, is home to a fifth of the world's youth. Half of its population is under the age of 25, and a quarter is below the age of 14. India's young population is its most valuable asset. As such India has long recognised the importance of young people to the future of society. The decision to host the 10th Commonwealth Youth Parliament showed not only a commitment to empower its own young people, but also a wider commitment to the development of Commonwealth youth beyond its own shores. To quote the words of India's first Prime Minister, Jawaharlal Nehru, India is a country that believes "[Youth] are like buds in a garden and should be carefully and lovingly nurtured, as they are the future of the nation and the citizens of tomorrow."

Last year's Commonwealth Youth Parliament was particularly important in that it was the milestone tenth event; it is the longest

lasting CPA youth programme and serves to build the capacity and skills of young people throughout the Commonwealth. As CPA Chairperson, I am extremely proud that over the last ten Commonwealth Youth Parliaments, we have helped to shape the future leaders of the Commonwealth.

With the fact that elections have been recently held in my country, I have also been thinking carefully on what it means to be a Parliamentarian. What are the traits you should have as a Parliamentarian? What virtues, principles and skills are characteristics you should emulate and pass onto the next generation?

Firstly, communication is key. We are part of a Commonwealth that reflects over 2,000 cultures and yet we are all linked by a common language and shared traditions and practices. If anything, this can teach us the importance of speech and communication. Coming from Cameroon where today's language so potently shapes a nation's politics, what you say and how you say it can win followers and advocates. During parliamentary debates, all Parliamentarians must give considerable thought to the manner in which they communicate, especially given the cultural and political sensitivities present in many jurisdictions. Maintaining an environment of respect and decency is so very important.



The CPA Chairperson, Hon. Emilia Lifaka, MP (Cameroon) joins the chief guest, Shri Om Birla, Speaker of the Lok Sabha, Parliament of India at the opening of the 10th Commonwealth Youth Parliament in India. Please turn to page 20 for full report.

Compromise and working together is also essential. Parliamentarians will undoubtedly need to work together, build alliances and share goals.

Embrace change. As a Parliamentarian, it is essential to be flexible and embrace new advances. As I learnt recently following the CPA's annual conference, the 64th Commonwealth Parliamentary Conference in Uganda, adaption and evolution for Parliamentarians, Parliaments and the wider-Commonwealth is so very important. The technological revolutions, which are growing in frequency and advancement, offer us all the ability to reshape the world in whichever way we choose. Today a single Tweet, YouTube video or Facebook post has the potential to reach millions. And such messages can at the press of a button, challenge assumptions, fight complacency or praise the worthy.

As we turn to the Commonwealth Heads of Government Meetings (CHOGM) in Kigali, Rwanda later this year and reflect on the 2020 Commonwealth theme: 'Delivering a Common Future: Connecting, Innovating, Transforming', it is important that Heads of Government involve Parliamentarians in the discussion of key issues and ensure that the Legislatures and Parliaments of the Commonwealth are engaged so as to enforce pro-active rather than re-active laws.

We are all fingers of the same hand within the Commonwealth. I urge each and every one of us to work to strengthen our collective vision and never cease in our relentless efforts to keep growing and impacting positive change. The road might be rough and the journey long. But I can guarantee you, as long as we walk that road together, we will push and even surpass our limits.

This View article is based on a speech given by the CPA Chairperson at the opening of the 10th Commonwealth Youth Parliament at the Delhi Legislative Assembly, India on 25 November 2019.

Left: Young participants from across the Commonwealth engage in the debate at the 10th Commonwealth Youth Parliament in India.



CREATING A NEW VISION FOR COMMONWEALTH WOMEN PARLIAMENTARIANS

View from the Commonwealth Women Parliamentarians (CWP) Chairperson

1992 was supposedly the year of the woman as a large number of women became Senators in the US Congress; another such year of women was 2018 when a different kind of woman Parliamentarian was visible on the global scene, unapologetic about her race, religion or political views; 2020 in the United Kingdom seems to be the year of the woman where for the first time in British history, an all-time high of 220 women Members were elected to the UK House of Commons, a record 34% of all the seats in the chamber.

However, for me, 2020 is the year of the woman for Parliaments across the Commonwealth and the global community; 2020 marks the twenty-fifth anniversary of the 'Fourth World Conference on Women' and the 'adoption of the Beijing Declaration and Platform for Action (1995)'. A five-year milestone will be reached towards achieving the UN Sustainable Development Goals (SDGs) and the 2030 Agenda for Sustainable Development. 2020 is therefore a pivotal year for the accelerated realisation of gender equality and the empowerment of all women and girls, everywhere.

The 64th session of the Commission on the Status of Women is planned to take place at the United Nations Headquarters in New York from 9 to 20 March 2020. Representatives of Member States, UN entities, and ECOSOC-accredited non-governmental organisations (NGOs) from all regions of the world are invited to attend the session. This year is the first time that the Commonwealth Women Parliamentarians (CWP) will also speak at the Commission on the Status of Women in New York on harassment of women; for me this is also the year where International Women's Day will be celebrated every day after it is celebrated on 8th March.

However, what is it about the Beijing declaration that resonates closely with the intellectual heritage of the Commonwealth Women



Hon. Shandana Gulzar Khan, MNA, Chairperson of the Commonwealth Women Parliamentarians (CWP) and Member of the National Assembly of Pakistan

Parliamentarians? One look at our anthem, and it becomes fairly clear that it has always been about 'equality, development and peace'.

Equality that goes beyond a rubber-stamp legitimacy; having even 50% female legislators just fill the aisles and have no say in policy-making; development is empty when national and sub-national budgets are empty of any gender-sensitive analysis and impact; peace is hollow and fragile when the most-impacted women are nowhere to be found on the very negotiating tables that idealistically seek to negotiate peace.

The world is finally beginning to wake up to its own mistakes, the certainty of the knowledge that we haven't done justice by ourselves. The dawn of the comprehension that women's issues are not human rights issues but issues concerning 50%

of the population. Last year in Kampala, Uganda when I introduced my credentials to the membership of the Commonwealth Women Parliamentarians following my election, I talked about winning for women, for every Parliamentarian in the Commonwealth. What is the one thing we need to focus on in 2020? What are the four main points which have the power to tip the scales exponentially for women Parliamentarians and their constituents?

While the world and indeed the Commonwealth have made great strides in development on some key issues, we, Parliamentarians, will need to utilise the power of sisterhood and of partnerships. Unity and cohesion both within the Commonwealth, the wider Commonwealth Parliamentary Association (CPA), within the CWP network and with partner organisations that work tirelessly to promote us and ensure that 'no one is left behind' on the SDGs such as UN-Women and UNDP.

What should be our immediate focus for the CWP? Unequivocally, women's economic empowerment and growth - everything else will

follow. It should not be a surprise that all developing countries wish to become developed countries, the main element that separates developing countries from developed countries are indicators (i.e. the GDP per capita). GDP per capita dictates how much capital outlay our Governments will have to better provide for hospitals and healthcare, quality education and skills, the ability to vote without fear of violence, and the opportunity to provide for families.

The CWP has a rich history; facing uniquely challenging circumstances, we have done things within the Commonwealth, that many countries have not been able to, and now is the time to make a few further strides that we did not have the opportunity to do earlier. Times are changing rapidly, with both the shape of employment and

self-employment, with the advent of Artificial Intelligence (AI) and with the Fourth Industrial Revolution and we must be prepared.

CWP has a responsibility to get together and by the end of the year agree on producing three target policies; promoting and improving women's contributions to achieving SDG 5; creating a new digital policy for women Parliamentarians; and developing financially inclusive policy-making for women (with its own benchmarks and a tool-kit for Parliaments).

The world loses sixteen trillion dollars annually due to inequality in the workplace between women and men. If nobody can see the impact of this, we can and will, strive towards filling this colossal gap as our first set of this goals by the end of 2020.

New Commonwealth Women Parliamentarians Chairperson promotes gender equality on visits to South Africa, Iceland and the UK

The newly elected CWP Chairperson, Hon. Shandana Gulzar Khan, MNA has been promoting gender equality and the CWP's activities and initiatives on a series of visits that has taken her to three different countries in the first quarter of her new term.

The CWP Chairperson first visited Western Cape in South Africa in November 2019 to participate in a programme of events convened to re-establish their Parliament's commitment to the values of the CWP. The CWP Chairperson met with the Speaker of the Western Cape Provincial Parliament, Hon. Masizole Mngqasela, MPP and the Deputy Speaker, Hon. Beverley Ann Schäfer, MPP to discuss their commitment to increase gender equality. In Cape Town, the CWP Chairperson also visited a women's community project in the constituency of the Deputy Speaker where she said: "I am delighted to have been invited to attend the re-establishment of the CWP Chapter in Western Cape. To take the decision to re-energise CWP activities is one that I find admirable and very crucial, and I hope that fellow



CWP Branches across the Commonwealth may be inspired by this. No doubt, I will leave feeling very optimistic about the future of CWP in Western Cape and this part of Southern Africa."

The CWP Chairperson then travelled to attend the Global Forum for Women Leaders in Reykjavik, Iceland where she spoke in the session titled 'How can "#girlsgetequal": Gender Transformative Power and Representation'. This international forum brings together the world's most inspiring and committed leaders to share ideas and solutions on how to promote the number of women in leadership positions, how to further advance society and how to make the most of the possibilities that these opportunities offer.

Following the forum in Iceland, the CWP Chairperson visited the Commonwealth Secretariat ahead of the International Day for the Elimination of Violence against Women (Monday 25 November), where she met with the Head of the Gender Unit, Amelia Kinahoi Siamomua to discuss issues of mutual cooperation and promoting gender equality in the Commonwealth. The CWP Chairperson conveyed a message for the launch of 'Commonwealth Says No More' anti-violence campaign in which she stated that "I'm proud to state that the CWP has played an active role in raising international awareness on gender-based violence, in particular in the political process. The CWP continues to highlight this critical issue that impacts the lives and well-being of half of the world's population."



Commonwealth Women Parliamentarians' Anthem

1. All across the nations All around the world Women are longing to be free No longer in the shadows Forced to stay behind But side by side In true equality	(Chorus/Refrain x 2) So sing a song... For women everywhere Let it ring around the world And never cease So sing a song for women everywhere Equality, development and peace	2. Women can't be silent When all around the world People hurt and hungry children cry We will sing out now for Justice and Development And hold the rights Of all the people high So sing a song.....	3. Women now are working To build a better world Where the love of peace Can rest on every shore Where men lay down their weapons And learn to love and share And people work To bring an end to war So sing a song.....
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HOW CAN THE SMALLEST PARLIAMENTS DELIVER WITH THEIR LIMITED RESOURCES TO DEEPEN DEMOCRATIC GOVERNANCE?

View from the CPA Small Branches Chairperson

It was a humbling experience to be elected by the CPA's Small Branches Members at the 37th CPA Small Branches Conference in the margins of the 64th Commonwealth Parliamentary Conference in Kampala, Uganda, in September 2019. I am the second person to hold this post as the CPA Small Branches Chairperson, a position first created in 2016. This shows how the Commonwealth Parliamentary Association (CPA) has evolved as a global network to recognise that, while being a community of Commonwealth Parliaments, its smallest Parliaments have a specific set of circumstances and challenges that need to be addressed.

I acknowledge with great pleasure the excellent work that was led and achieved by the first Chairperson of the CPA Small Branches network, Hon. Angelo Farrugia, Speaker of the Parliament of Malta, who paved the way with the *CPA Small Branches Strategic Plan 2017-2020*. Under his leadership, the CPA Small Branches network has grown from strength to strength and the challenge remains to keep up the momentum and carry the legacy with solidarity into the future. The recent CPA Small Branches Workshop on Sustainable Economic Development hosted by the Parliament of Malta was a significant example of the bringing together of Commonwealth Parliamentarians from the CPA Small Branches network, from six of the seven CPA Regions which have Small



Hon. Niki Rattle,
Chairperson of the CPA
Small Branches and
Speaker of the Parliament
of the Cook Islands

Branches, to share knowledge, best practice and strengthen capacity.

As the incoming CPA Small Branches Chairperson, my aspirations are to work closely with the newly created CPA Small Branches Steering Committee Members to include all of the CPA Regions and their CPA Branches in the planning stages for the next CPA Small Branches Strategic Plan. The ambition is to continue what has worked well, to add new initiatives, and to strengthen collaboration amongst the Small Branches network, recognising our diversity as a strength and in sharing best practices. Of course, there is also great value in working very closely with the staff at the CPA Headquarters Secretariat. The launching of the *CPA Small Branches Climate Change Toolkit for Parliamentarians* at the CPA Small Branches Workshop in Malta (led by CPA Programmes

Assistant, Jack Hardcastle) is an excellent initiative that draws on the expertise within the CPA Small Branches network and utilises the CPA's global partnerships with international organisations like UNEP and the Commonwealth Small States Centre of Excellence. This CPA toolkit is focused on the CPA's Small Branches due to their vulnerability to the effects of climate change and gives advice and guidance to Parliamentarians with examples of focused means of assistance.

Undoubtedly, the citizens in small jurisdictions expect the same level of services as those in larger and better resourced ones, and so the real challenge is how the small Parliaments of the Commonwealth can deliver with limited resources to deepen democratic governance in the 21st century. This is a key focus for the CPA Small Branches Chairperson moving forward.

The centenary of *The Parliamentarian*, the CPA's Journal of Commonwealth Parliaments, is a celebration to be embraced by the CPA's Small Branches. The Journal is a resource that many Parliamentarians have sought out for the rich and diverse information that can be drawn from its pages, to assist in many situations, especially for the CPA's Small Branches.

The Commonwealth Heads of Government Meeting (CHOGM) later this year is to be welcomed. The host for CHOGM 2020, Rwanda, is a relatively new member of the Commonwealth that joined in 2009 and it is the first Francophonie Commonwealth nation to host the

CHOGM. Despite its tragic past and genocide, with a strong leadership, Rwanda has emerged as one of the most stable and economically prosperous countries in Africa. Rwanda has a lot to be proud of and it is a fitting place to host CHOGM.

The Commonwealth has a long and respected history of supporting small states with thirty-two of the fifty-four member countries of the Commonwealth being small states. Therefore, the CHOGM 2020 offers a huge opportunity for the CPA Small Branches network to have a voice on the global stage. Small states remain particularly vulnerable to external shocks as a result of their geographic positioning, inherent structural challenges, and deep integration into the global economy and so the Commonwealth puts a special lens on small states and aims to build resilience and promote inclusive development in some of the world's most vulnerable economies.

In recent weeks, The Maldives has re-joined the Commonwealth. Their return is significant as this not only broadens the Commonwealth family of nations, but being a small jurisdiction, The Maldives will also grow and strengthen the CPA Small Branches network, in addition to becoming the only CPA Small Branch from the CPA Asia Region.

Together the Parliaments and people of the Commonwealth can tackle such far-reaching issues as climate change. Together we can work to find sustainable ways of using the natural resources of our planet, its land and the ocean, so that our environment is protected to



build peace and harmony through social and democratic development. Together we can also spur inclusive economic empowerment, so that all people, particularly women, youth and marginalised groups can share the fruits of progress and prosperity through deep rooted networks of friendship and goodwill.

The Commonwealth Parliamentary Association is the parliamentary wing of the Commonwealth. Parliamentarians sit at the centre of society and are therefore essential agents to bring change. The Commonwealth is a force for good and a platform for discussion and progress. There are many global issues affecting citizens today both within and outside the Commonwealth and such bodies can be a positive force for good. Given the Commonwealth's global influence, it can help the world to be a better place.

“Undoubtedly, the citizens in small jurisdictions expect the same level of services as those in larger and better resourced ones, and so the real challenge is how the small Parliaments of the Commonwealth can deliver with limited resources to deepen democratic governance in the 21st century.”

CPA Small Branches Chairperson chairs first meeting with Parliamentarians from the CPA's Small Branches in margins of CPA Australia and Pacific Regional Conference



In the margins of the 38th CPA Australia and Pacific Regional Conference in Adelaide, South Australia, the CPA Small Branches Chairperson, Hon. Niki Rattle chaired a meeting of CPA Small Branches from the CPA Pacific, Australia, Caribbean and British Islands & Mediterranean Regions to update Members on the network and to discuss forthcoming activities. Please turn to page 14 for a full report of the Regional Conference.



REFLECTING ON 100 YEARS OF *THE PARLIAMENTARIAN* AND THE CPA'S ROLE IN PARLIAMENTARY DEVELOPMENT

View from the Acting CPA Secretary-General

This year marks a century since *The Parliamentarian* was first published and I am delighted to present to you the first Issue of the Journal right at the start of the new decade. Over the years the publication has continued to be a mouthpiece for the Commonwealth Parliamentary Association (CPA) and a forum for Parliamentarians to articulate and discuss developments on parliamentary procedures and practices, democracy, good governance and human rights. These are part of the Commonwealth's fundamental values as agreed by Commonwealth Heads of Government and codified in the 2012 Commonwealth Charter and other Commonwealth Declarations such as the *Harare Declaration of 1991* and the *Singapore Declaration of 1971*. The Commonwealth Charter demonstrates resolve and collective commitment by the Commonwealth to promote and ensure that these Commonwealth democratic principles and values are upheld, nurtured and implemented to the highest standards. The CPA continues to play an important role in this regard.

In 1920, the *Journal of Empire Parliaments*, as it was then known, began and it has continued to be a medium for sharing best practices and principles on these fundamental values, which are important for the promotion of democracy and development for the benefit of all Commonwealth citizens. Over the years, the CPA has transformed and grown into a 180-Branch association, big and small, across all nine Regions of the CPA. The membership includes 14 Overseas Territories, three Crown Dependencies and more than 125 sub-national states, provinces and territories in federal style countries across the 54 member states of the Commonwealth.

The CPA acknowledges that democracy is a continuously developing concept that needs to be nurtured, and that no single Parliament can do it all in terms of providing a source of best practice. All Parliaments, regardless of how big or small, young or old, are good sources of vital transformation and influence. The CPA is therefore a forum for promoting parliamentary development and experience

“The CPA acknowledges that democracy is a continuously developing concept that needs to be nurtured, and that no single Parliament can do it all in terms of providing a source of best practice. All Parliaments, regardless of how big or small, young or old, are good sources of vital transformation and influence.”



Mr Jarvis Matiya
Acting Secretary-General
of the Commonwealth
Parliamentary Association

where Members learn and share from each other. *The Parliamentarian* is vital not only for sharing information amongst Parliamentarians and other stakeholders, but it is also instrumental in enabling the CPA to fulfil its statement of purpose to “connect, develop, promote and support Parliamentarians and their staff to identify benchmarks of good governance and the implementation of the enduring values of the Commonwealth.” Through the publication, Members exchange views and deepen their understanding of contemporary democratic and development issues, as well as their roles and responsibilities as peoples' representatives.

The commemoration of the centenary of this publication comes in the aftermath of a successful 64th Commonwealth Parliamentary Conference, which was held in Kampala, Uganda from 22 to 29 September 2019. The Conference, whose theme was ‘Adaption, Engagement, Evolution of Parliament in a Rapidly Changing Commonwealth’, brought together over 500 Parliamentarians, parliamentary staff and other relevant stakeholders to review critical issues affecting Parliaments in the Commonwealth. With the participation of other international partners, Members participated in the learning and development sessions and deliberated on possible solutions from a holistic perspective, and the role of Parliamentarians in particular. It was also pleasing to welcome back The Gambia to the CPA family following the approval, by the 64th General Assembly in Kampala, of the application by the Gambia Parliament to rejoin the CPA.

This centenary anniversary also coincides with the preparations for the Commonwealth Heads of Government Meeting (CHOGM) due to take place in Kigali, Rwanda in June 2020, under the theme of: ‘Delivering a Common Future: Connecting, Innovating, Transforming’. This theme was chosen because the governments and people of the diverse family of 54 Commonwealth countries connect at many different levels through extensive and deep-rooted networks of friendship and goodwill. Within the CPA family, *The Parliamentarian* presents an opportunity for Members, Branches and other stakeholders to connect, share and transform.

Following the conclusion of the 64th Commonwealth Parliamentary Conference, and as we look forward to the forthcoming Mid-Year CPA Executive Committee Meeting to be held in Assam, India from 24 to 28 April 2020 as well as the 65th Commonwealth Parliamentary Conference to be held in Halifax, Nova Scotia, Canada in January 2021, the CPA Headquarters Secretariat has been implementing decisions and mandates given at the 64th CPA General Assembly, as well as ongoing programmatic activities as stipulated in the *CPA Strategic Plan and Business Plan 2018-2021*. Notable

among these are the process of recruiting the new CPA Secretary-General, progressing the issue of the Status of the CPA, finalising proposed Standing Orders for the conduct of General Assembly meetings, reviewing proposed constitutional amendments and exploring ways of diversifying CPA's income.

Highlights of the CPA's recent programmatic activities include assisting CPA Branches to conduct self-assessments using the CPA's *Recommended Benchmarks for Democratic Legislatures* under the *Commonwealth Partnership for Democracy (#CP4D)* project which is funded by the UK Foreign and Commonwealth Office as a legacy of the last CHOGM in 2018. Over the last 18 months, the project has been gaining momentum and has been very well received by Parliaments within our Commonwealth community.

At the 64th Commonwealth Parliamentary Conference, delegates acknowledged the importance of the CPA Benchmarks and the benefits of undertaking self-assessments using these recommended markers. They noted that the exercise not only promotes good governance and management of Parliaments but also increases Legislatures' self-awareness of institutional gaps and challenges that need attention. It was not therefore surprising to see a number of CPA Branches expressing interest to participate in the project before it concludes in April 2020.

So far over 12 Branches have undertaken the Benchmarking exercise with the support of the CPA Headquarters Secretariat. These include South Africa, St Lucia, Malaysia, Kenya, Belize, Tanzania, Grenada, Ghana, The Gambia, Anguilla, Uganda and Sierra Leone. As this publication goes to press the self-assessment of the National Assembly of Pakistan is underway. The CPA *Recommended Benchmarks for Democratic Legislatures* 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 the values and principles of the Commonwealth Charter on the development of free and democratic societies.

Whilst funding for the project from the UK Government will conclude in April this year, the CPA Headquarters Secretariat plans to continue with this critical work, reaching out to more CPA Branches to assist them in this assessment of self-reflection.

Other key programmes that the CPA continues to deliver include Post-Election Seminars, Technical Assistance Programmes (TAPs) and the innovative Fundamentals courses with Witwatersrand University, South Africa and with McGill University, Canada.

The professional development of Parliamentarians and parliamentary staff remains a key priority of the CPA. We therefore continue to develop innovative and relevant programmes for our Members and parliamentary staff. The launch at the 64th CPC of two new highly accessible and innovative online upskilling programmes on a pilot basis for parliamentary staff accredited by the International School for Government at King's College, London University and also with McGill University, Canada is testament to our commitment to strengthening the knowledge and capacity of Commonwealth Parliaments. This is a unique development as no other parliamentary organisation to my knowledge has this type of offering for its membership.

The CPA has also continued to focus on the CPA's Small Branches. On 29 January 2020, a CPA Climate Change Toolkit for Small Branch Parliamentarians was launched at the CPA Sustainable Development Workshop for Small Branches which took place in Valletta, Malta from 29 to 31 January 2020. The CPA Small

Branches Chairperson, Hon. Niki Rattle, Speaker of the Parliament of the Cook Islands, presided over the launch which was also attended by the Speaker of the Parliament of Malta and former CPA Small Branches Chairperson, Hon. Dr Angelo Farrugia. It is encouraging to see other stakeholders already referring to the Climate Change Toolkit and we encourage all CPA Small Branches to make use of the toolkit for their Members. The Toolkit has also been shared with all CPA Small Branches via CPA Branch Secretaries and is available on the CPA website at www.cpahq.org/cpahq/SBclimatechange.

The CPA Workshop was organised in collaboration with the Commonwealth Small States Centre of Excellence and sought to impart to Parliamentarians representing 13 of the CPA's Small Branches factual and relevant knowledge needed in their roles of enacting and supporting policies administered by their respective Parliaments. The uniqueness of the CPA Workshop was that it was delivered in the form of a Select Committee inquiry, and provided Parliamentarians with the tools and practical experience needed to scrutinise commitments and goals made by their respective governments in promoting good governance, a fundamental value of the Commonwealth of which the CPA upholds. Given the importance that the CPA places on Small Branches, the CPA Workshop focussed on the role of Parliaments, especially through the Select Committee process, in questioning and analysing policies on key issues for small jurisdictions such as trade opportunities, tourism, inclusion and equality, renewable energy, ocean management, climate change and food security.

The CPA Headquarters Secretariat will prepare a committee report, based on the evidence gathered during the CPA Small Branches Workshop, with recommendations and action plans to improve government policies, strategies and implementation within CPA Small Branches to ensure sustainable economic development.

Looking ahead, there is a lot of work to be done in response to the areas requiring support and assistance to the CPA membership, but one can be certain of the commitment, dedication and hard work of the CPA Headquarters Secretariat staff for our Members and CPA Branches.



The Acting CPA Secretary-General, Mr Jarvis Matiya attended the CPA Small Branches Workshop on Sustainable Economic Development in Malta and met with the Speaker of the Parliament of Malta, Hon. Angelo Farrugia in the margins of the programme to discuss cooperation between the CPA Headquarters and the CPA Malta Branch and the work of the CPA Small Branches network in empowering small Legislatures.

Role of Commonwealth Parliaments in tackling the challenges of urbanisation is the focus for Commonwealth Parliamentarians at 38th CPA Australia and Pacific Regional Conference in South Australia

The role of Commonwealth Parliaments in tackling the challenges of urbanisation was the focus for Commonwealth Parliamentarians attending the 38th Commonwealth Parliamentary Association (CPA) Australia and Pacific Regional Conference in Adelaide, South Australia. The many challenges of urbanisation, transportation, infrastructure, engaging indigenous communities and rural decline were all examined by Commonwealth Parliamentarians during the Regional Conference.

The CPA Regional Conference was opened by the Governor of South Australia, His Excellency Hieu Van Le who spoke of the importance of parliamentary democracy in the Commonwealth, championed by the CPA, and the role of Parliamentarians in representing their communities. The Governor also recognised the progressive nature of South Australia in leading the way in promoting parliamentary democracy – including the 125th anniversary of women's suffrage in South Australia in 2019.

The CPA Vice-Chairperson, Hon. John Ajaka, MLC, President of the Legislative Council of New South Wales gave the keynote address to the Regional Conference and conveyed the greetings of the CPA Chairperson, Hon. Emilia Lifaka, MP (Cameroon) to the Regional Conference. Hon. John Ajaka said: *"The CPA now in its 108th year continues to demonstrate through its Members a commitment to the Commonwealth values which include parliamentary democracy. In addition, the CPA Regional Conference emphasises the excellent twinning programme between the Parliaments of the CPA Australia and CPA Pacific Regions which greatly benefits our regions."*

An address that the CPA Chairperson had been due to deliver to the Regional Conference was also distributed to delegates. To read the CPA Chairperson's address to the Regional Conference please visit www.cpahq.org/cpahq/chairspeeches.

Delegates were welcomed by Hon. Vincent Tarzia, MP, Speaker of the House of Assembly at the Parliament of South Australia who said that Adelaide provided one of the best examples of the challenges of urbanisation facing so many Commonwealth jurisdictions – as approximately 75% of the population of the state of South Australia live and work in the city of Adelaide. The Speaker was nominated as Chairperson of the Regional Conference with the President of the Legislative Council of South



Australia, Hon. Andrew McLachlan, MLC as Deputy Regional Conference Chairperson.

Conference presentations included the CPA Small Branches Chairperson, Hon. Niki Rattle, Speaker of the Parliament of the Cook Islands on service delivery for urban and rural areas with particular reference to the smallest jurisdictions of the CPA and the Sustainable Development Goals; South Australian Minister, Hon. Stephan Knoll, MP on the challenges of maintaining transport and infrastructure for urban areas; and Ms Sandra Nelson, MP (Northern Territory) on the challenges of protecting cultural identities and indigenous communities in urban areas. Delegates also visited development projects in Adelaide to see the government's and local enterprises' activities in addressing the challenges of urbanisation.

Around 40 Members of Parliament and parliamentary staff attended the Regional Conference from 20 CPA Branches across the CPA membership. The CPA Branches attending the 38th CPA Australia and Pacific Regional Conference included: Australia Federal; Australian Capital Territory; Bougainville; Cook Islands; Kiribati; Nauru; New Zealand; New South Wales; Niue; Northern Territory; Queensland; Samoa; South Australia; Tonga; and Tuvalu. Members also attended the Regional Conference as Observers from the British Virgin Islands, Jersey, Pakistan and Gibraltar.

The three-day 38th CPA Australia and Pacific Regional Conference was hosted by the CPA South Australia Branch and Parliament of South Australia in Adelaide from 18 to 21 November 2019.

Commonwealth Parliamentarians from the CPA Pacific Region come together in New Zealand for the Pacific Parliamentary Forum



Political leaders from 15 Pacific countries and territories from the CPA Pacific Region met at the Parliament of New Zealand to exchange ideas and the major challenges and opportunities in the Pacific. The Pacific Parliamentary Forum takes place every three years and enables knowledge sharing on key issues and parliamentary practices. It also aims to build meaningful, long term relationships among Pacific MPs and enhance parliamentary democracy in the region.

During the first two days of the forum in November 2019, delegates engaged with Pacific communities and businesses in

Auckland. Organisations involved include The Fono, the Manukau Institute of Technology and the TROW Group. The Pacific MPs also visited the electorate offices of several Auckland-based New Zealand MPs.

The final two days of the forum focused on exploring issues of importance to the CPA Pacific Region through a series of debates and workshops at the New Zealand Parliament in Wellington. A key focus for the forum in 2019, and the topic of one of the debates, was on exploring the value of 'diversity' in the various functions that Parliaments play within a democratic system.

The Speaker of the Parliament of New Zealand, Rt Hon. Trevor Mallard, MP said: *"It is a real pleasure to host the third Pacific Parliamentary Forum and to welcome fellow Pacific MPs to our shores. The New Zealand Parliament is committed to supporting Pacific Parliamentarians and the forum is a valuable opportunity to build on existing relationships and promote increased cooperation and political cohesion."*

The Commonwealth Women Parliamentarians (CWP) Pacific Region Steering Committee Member, Ms Anahila Kanongata'a-Suisuiki, MP (New Zealand) also met with a number of Parliamentarians from the Region to discuss gender equality and initiatives to promote increased female participation.

Commonwealth Parliamentarians from the Asia-Pacific meet in Western Australia to address human trafficking and forced labour

Commonwealth Parliamentarians from across the Asia-Pacific were in Perth, Australia to participate in a workshop organised by the CPA UK Branch, in partnership with the Parliament of Western Australia, from 16 to 18 December 2019 as part of the CPA UK Modern Slavery Project. Delegates from Australia, Bangladesh, Pakistan, Solomon Islands, Sri Lanka and the UK explored their role in leading the fight against human trafficking and forced labour.

The Global Slavery Index, produced by the Minderero Foundation, estimates that there are around 40.3 million victims of modern slavery, forced labour and human trafficking worldwide, with over half that number existing within the Asia-Pacific region. The CPA UK Workshop was an opportunity for Parliamentarians to exchange ideas around their role in gathering evidence and research; scrutinising anti-trafficking policy and legislation; and oversight of the implementation of anti-trafficking laws. Participants are at the forefront of strengthening legislation and raising awareness of these issues at local, national and international level.

The three-day event also looked in detail at the issue of 'orphanage trafficking', where children who have parents or guardians are taken and put into orphanages in order that traffickers profit from this false orphanage system. As part of the workshop, delegates held a joint committee inquiry into the topic, taking evidence from experts in academia and civil society.



Australia's Minister for Defence, Senator Hon. Linda Reynolds, CSC, who was the Minister responsible for the passage of Australia's Modern Slavery Bill 2018 - and has been raising awareness of 'orphanage trafficking' - addressed the delegates about her experiences.

At the conclusion of the workshop, delegates nominated themselves to join the Network of Parliamentary Champions. Members made pledges as part of their induction, which they read out on the floor of the chamber in the Parliament of Western Australia. The aim of the Network is to create regional collaboration and to share information, challenges and progress in combatting human trafficking and forced labour.

Commonwealth Parliamentarians from small jurisdictions meet in Malta to discuss sustainable ways of boosting their economies

Over 20 senior Parliamentarians from jurisdictions across the Commonwealth met in Malta to discuss sustainable ways of boosting their economies. The CPA programme was hosted by the Parliament of Malta and delivered by the CPA Headquarters Secretariat in partnership with the Commonwealth Small States Centre of Excellence. It discussed trade opportunities for small states, the development of the tourism sector, education, integration and equality, renewable energy and energy independence, ocean management and climate change and food security.

The CPA programme was the second workshop since the renewed strategic focus that the CPA has put onto its small jurisdictions by formally establishing the CPA Small Branches Network, with the first being a seminar on the effects of climate change on CPA Small Branches hosted by the United Nations Environment Programme (UNEP) in Nairobi, Kenya in 2018.

In Malta, the CPA programme saw the participation of senior Parliamentarians who underwent a thorough selection process to attend, as well as international organisations such as the United Nations Conference on Trade and Development (UNCTAD), Oxfam and the Small States Network for Economic Development. Participants present in Malta represented the CPA Branches of Alderney, Australian Capital Territory, The Bahamas, Barbados, British Virgin Islands, Cayman Islands, Cook Islands, Fiji, Isle of Man, Jersey, Malta, Northern Territory, Perlis, Seychelles, St Helena, St Lucia and Turks and Caicos.

Delegates heard from a wide range of international experts including Vernon Barrett, International Sustainable Development Specialist; Dr Stefano Moncada, Small States specialist from the University of Malta; Gabriella Cassola from the Commonwealth Small States Centre of Excellence; as well as undertaking a site visit to see a sustainable water plant run by the Malta Water Services Corporation.

The CPA Small Branches Workshop on Sustainable Economic Development was the first delivered under the leadership of the recently elected CPA Small Branches Chairperson, Hon. Niki Rattle, Speaker of the Parliament of the Cook Islands, who embarked on her chairmanship of the network in November 2019 and said: "I am immensely proud to be the Chairperson of this Network. My goal for the next three years is to carry forward the excellent work of my predecessor, Hon. Angelo Farrugia, Speaker of the Parliament of Malta, but also to ensure that the activities delivered under my chairmanship build on each other, so no knowledge or value of an activity gets lost.



It is the aim of our Network to tackle the challenges small Parliaments are facing and to ensure that over time, these challenges diminish. That way, our Parliaments and our democracies will grow from strength to strength and deliver even better results to the people over time. This is my commitment to you. Representing the CPA Pacific Region, I will also bring more of my region's experiences into this forum, since I believe we have a lot to contribute when it comes to outlining the challenges small Parliaments face and the potential solutions."

Former CPA Small Branches Chairperson and Speaker of the Parliament of Malta, Hon. Angelo Farrugia, is particularly proud to host this event in his home jurisdiction of Malta and said: "Having been the Small Branches Chairperson for this inspiring Network for the past three years, I am immensely proud to welcome the recently elected Small Branches Chairperson to my own jurisdiction. The idea of a workshop on sustainable economic development arose in early 2019, and I am delighted that this activity now comes to fruition. During my term of office, I focussed on strategy and climate change, and I am pleased to see that this work has been carried forward feeding into this workshop. Also, I believe that my own country, Malta, has a lot to contribute to this topic in terms of economic activity, and I am pleased to see that many local resource persons have shared their knowledge to that effect."

The Acting CPA Secretary-General, Mr Jarvis Matiya also attended the CPA programme in Malta along with a number of international delegates.

Climate Change and Small States: Parliamentarian's Toolkit launched by the Commonwealth Parliamentary Association

The contemporary challenge from climate change is a global concern, its impacts touching every nation on earth. Despite contributing least to global greenhouse gas emissions, it is however, the small states and territories of the Commonwealth and beyond who will suffer disproportionately from its effects. In continuation of its long history engaging with small Legislatures, the Commonwealth Parliamentary Association (CPA), through its CPA Small Branches network, has supported and empowered small states and territories, and their Parliamentarians, to tackle the significant issues which face them, including climate change.

Although combatting climate change requires the support of the international community, the CPA believes that small states and their Parliamentarians can play, and have played, a crucial role in tackling this challenge. The launch of a *CPA Climate Change Toolkit for CPA Small Branch Parliamentarians* is built on this understanding.

The development of the toolkit began in 2018, when Commonwealth Parliamentarians from eight CPA Branches representing five CPA Regions met for the CPA Small Branches Climate Change Workshop at the United Nations Environment Programme (UNEP) in Nairobi, Kenya. Parliamentarians engaged with top-tier experts from the United Nations and formulated policy recommendations for legislators across the Commonwealth.

Given the recent momentum that the climate change agenda has gained globally, the former Chairperson of the CPA Small Branches Network, Hon. Angelo Farrugia, Speaker of the Parliament of Malta, suggested the creation of an up-to-date, practical guide for legislators featuring the latest climate science, and with practical guidance for small state Parliamentarians embarking upon effective climate change action. The toolkit was also helped by contributions from CPA Small Branch Parliamentarians at the climate change workshop session during the 37th CPA Small Branches Conference, held in September 2019, in Kampala, Uganda.

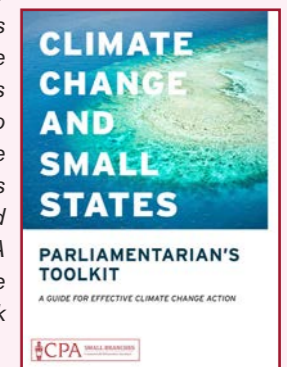
The CPA Small Branches Climate Change toolkit was launched by the Chairperson of the CPA Small Branches Network, Hon. Niki Rattle, Speaker of the Parliament of the Cook Islands, in the margins of the CPA Small Branches' second formal programmatic activity, a workshop that took place in Malta focusing on sustainable economic development in small jurisdictions. Hon. Niki Rattle said: "Putting the sustainability of our knowledge sharing and learning at the top of my agenda during my tenure as Chairperson of the CPA Small Branches Network, I am proud to see the results of the Climate Change Workshop in Nairobi reflected in this toolkit. The toolkit however does much more than this: it encapsulates the range of approaches to climate change, the results from the latest



scientific research, and details innovative and actionable steps for Parliamentarians from small jurisdictions to make their mark on the climate change agenda. I therefore encourage the membership of the Small Branches to adopt the calls for action outlined in the toolkit and share their experiences and lessons with the Network. This will enable us to progress even further as a parliamentary community on such significant issues as climate change. I very much look forward to see the results of parliamentary activity across small branches resulting from this publication."

Former CPA Small Branches Chairperson and Speaker of the Parliament of Malta, Hon. Angelo Farrugia, commented on the publication of the toolkit as follows: "I am proud to have initiated the creation of this important piece of research under my term in office as Chairperson of the Small Branches network and I am thrilled to see it launched in my jurisdiction under the leadership of my distinguished colleague, the Speaker of the Cook Islands, Hon. Niki Rattle. Having seen how engaged the Parliamentarians of this Network are on the issue of climate change; I am convinced that this publication will achieve what it aims to - and even more. I strongly encourage Parliamentarians to share case studies resulting from the activities inspired by this toolkit with the CPA and CPA Small Branches network - together we can achieve more, if we dare to think big."

Visit www.cpahq.org/cpahq/SBclimatechange to download a copy of the CPA Small Branches Climate Change Toolkit for Parliamentarians.



Speakers meet in Canada for the 25th Conference of Speakers and Presiding Officers of the Commonwealth to discuss parliamentary engagement, transparency and accountability

Speakers and Presiding Officers from across the Commonwealth met in Canada for the 25th Conference of Speakers and Presiding Officers of the Commonwealth (CSPOC) which took place from 6 to 10 January 2020. Speakers and Presiding Officers from 37 Commonwealth Parliaments were hosted by the Senate of Canada's Speaker, Senator Hon. George Furey and the Speaker of the House of Commons, Hon. Anthony Rota, MP.

The biennial conference focused on the topics of parliamentary engagement: openness, transparency and accountability; and on Parliamentarians as effective legislators and representatives. A special plenary session was also held on inclusive Parliaments where Speakers and Presiding Officers discussed the role of the Speaker in supporting emerging procedures and practices to embrace the changing needs of modern Parliaments.

The 25th Conference of Speakers and Presiding Officers of the Commonwealth was opened by the Governor-General of Canada, Her Excellency Rt Hon. Julie Payette at a ceremony held in the Senate of Canada. The Governor-General said: *"The Commonwealth is a remarkable union of diverse nations and jurisdictions with 53 different members that touch every single continent of this planet, representing almost a third of the world's population. From small to big, poor to rich, we are all united, and we come together, by choice, to share values, to share languages and to share parliamentary traditions. It is incredible what different people and different nations can do and can achieve when they work together and when they put their smarts, their will and their resources together to advance the common good for the prosperity of their people."*

The Speaker of the Senate of Canada, Hon. George Furey said: *"The more effective we are in our roles as Speakers and Presiding Officers, the stronger debates and parliamentary processes can be, and correspondingly, the more our citizens will have faith in our systems of government. It is no surprise that the Commonwealth Speakers and Presiding Officers Conference takes place under the auspices of the Commonwealth – we are united by our diversity, by our shared history and by our commitment to parliamentary democracy."*

The Speaker of the House of Commons of Canada, Hon. Anthony Rota, MP said: *"It is a matter of great pride to us that the very first Conference of Speakers and Presiding Officers of the Commonwealth was held in Canada in 1969, an initiative created by Hon. Lucien Lamoureux, 27th Speaker of the House of Commons which focused on the role of Speakers within parliamentary*



institutions. Then, as today, the aim of the conference was to maintain, foster and encourage impartiality and fairness on the part of Speakers and Presiding Officers of Parliaments, to promote knowledge and understanding of parliamentary democracy in the various forms and to develop parliamentary institutions."

To mark the ceremony being held on the traditional lands of the Algonquin people, Mrs Claudette Commanda, Algonquin Elder gave a traditional welcome to delegates.

The CSPOC conference brings together the Speakers and Presiding Officers of the Parliaments and Legislatures of the Commonwealth. It focuses on the sharing of experiences, collaboration and partnership across the Parliaments of the Commonwealth. CSPOC was created in 1969 and is a separate independent organisation, although many of its participants are also members of the Commonwealth Parliamentary Association. CSPOC operates on a two-year cycle, holding a conference of the full membership every two years. The next hosts for the biennial conference are Australia in 2022 and Uganda in 2024, with additional CSPOC Standing Committee meetings to be held in Guernsey in 2021 and Trinidad and Tobago in 2023. For more information about the Conference of Speakers and Presiding Officers of the Commonwealth (CSPOC) please visit www.cs poc.org.

CPA Africa Region sign MoU to bring Indonesia investment to Tanzania

The CPA Africa Regional Secretariat has signed a Memorandum of Understanding (MoU) with the Indonesia Exim Bank (LPEI) and WIKA Construction towards the financing and construction of a new US\$33m five-star hotel in Dodoma, Tanzania as an investment vehicle for the Africa Region. The CPA Africa Region, through its investment vehicle, Commonwealth Investment Company Limited (CICL), have signed the MoU with PT Wijaya Karya, a Jakarta-based construction company linked with Indonesia Exim Bank to explore the construction project for the new five-star hotel in Dodoma.

The CPA Africa Regional Secretariat intends to secure additional financing from the Indonesia Exim Bank and, with its accumulated subscription fees, to invest in the high-end hospitality industry. The

MoU is the initial step after a pre-feasibility study was conducted that showed positive indicators in the intended investment.

The Coordinating Minister for Maritime Affairs and Investment, Hon. Luhut Binsar Pandjaitan led a delegation from Indonesia to Tanzania on behalf of the Indonesian Infrastructure Task Force for Africa and the delegation met with the East African Community and with the Tanzania Minister of State for Investment, Hon. Angela Mbelwa Kairuki as well as meeting with the CPA Africa Region to sign the MoU.

The CPA Africa Regional Secretariat has its headquarters in Dodoma, Tanzania and the CPA Africa Region has 63 CPA Branches (18 national CPA Branches and 45 Subnational CPA Branches). The Gambia recently became the 64th CPA Branch in the Region after its formal admission to the CPA.

Parliamentarians attend 68th Westminster Seminar on Effective Parliaments

Forty Parliamentarians from thirty-two Commonwealth Legislatures took part in the 68th Westminster Seminar, hosted by the UK Parliament and CPA UK Branch, designed to explore the role of a Parliamentarian in an effective Parliament. Touching on a range of topics throughout the week, participants were able to hear from UK Parliamentarians, academics and experts on areas including the pressures on a Parliamentarian, holding the Prime Minister to account and the impact of Committees. Commonwealth Parliamentarians also shared their insight with colleagues, including on the Committee systems of Gibraltar and Pakistan, and parliamentary privileges in the Ugandan context.

The seminar keynote speech was delivered by Rt Hon. Lord Paul Boateng, a former UK MP and now Member of the House of Lords and former British High Commissioner to South Africa, who placed importance on maintaining ties within the Commonwealth, and the need for Parliamentarians to have a sense of ownership over their parliamentary processes in order to ensure the effectiveness of their Legislatures. Following this, delegates heard from a range of speakers from across the UK Parliament's Workplace Equality Networks and Diversity and Inclusion teams, for a session focussed on diversity within Parliament. This discussion gave delegates the opportunity to look at the work being done to adopt a more inclusive culture in Westminster, to improve diversity in all aspects including age and educational background, and ensure that Parliament is truly reflective of society.



Other sessions were held on Public Engagement, looking at the importance of public participation; social media and democracy, which looked at the growing importance of social media in a parliamentary democracy; and the UK's policy on cyber security. Delegates also discussed democracy at the local level with delegates from Provincial Assemblies and smaller Legislatures, and how their work translates to the national level, in bringing about effective change.

Former CPA Chairperson, Rt Hon. Lord Haselhurst presided over the closing ceremony and encouraged delegates to maintain the strong networks built over the week to continue the knowledge sharing process.

Focus on financial scrutiny in Commonwealth Parliaments at CAPAC regional workshop in Trinidad and Tobago

Commonwealth Parliamentarians from the CPA Caribbean, Americas and Atlantic Region participated in the third regional workshop of the Commonwealth Association of Public Accounts Committees (CAPAC) in Port of Spain, Trinidad and Tobago from 21 to 23 January 2020. The three-day workshop was hosted by the Speaker of the House of Representatives at the Parliament of Trinidad and Tobago, Hon. Bridgid Annisette-George, MP.

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. Gary Peters, Assistant Auditor-General from Trinidad and Tobago lead an interactive workshop on how to effectively scrutinise financial statements.

The workshop was attended by the Chairs, Members and Clerks from six Public Accounts Committees (PACs) from the region. Delegates were brought together in order to strengthen regional cooperation and to help PACs from the region 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 Commonwealth Parliamentary Association was represented by the CPA Small Branches Vice-Chairperson, Hon. W. McKeeva Bush, Speaker of Cayman Islands Legislative Assembly who shared the experience of the Cayman Islands Public Accounts Committee and financial oversight in the Caribbean Region.

The CAPAC regional workshops are funded by the Commonwealth Partnership for Democracy (CP4D) and delivered by the CPA UK Branch. Following the previous Pacific, Asia and South East Asia workshops, a final pan-Commonwealth workshop will take place in London in March 2020 and will be an opportunity for all 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.

10th Commonwealth Youth Parliament in India inspires future young leaders from across the Commonwealth to take a stand

The Commonwealth's future leaders and Parliamentarians have been inspired at the 10th Commonwealth Youth Parliament (#CYP10) to take a stand on issues such as climate change, the SDGs and urbanisation. Hosted by the Commonwealth Parliamentary Association (CPA) and the Delhi Legislative Assembly in Delhi, India from 24 to 28 November 2019, participants debated issues of concern as Youth Parliamentarians in the Assembly chambers.

The 47 delegates, aged between 18 and 29 years, came from thirteen countries, ranging from the largest democracy in the Commonwealth (India) to one of the smallest (Tonga), and from 33 CPA Branches* across nine CPA Regions. The four days of the Commonwealth Youth Parliament provided a key development opportunity for young people from the Commonwealth with ambitions of public office and introduced these potential young Parliamentarians to the fundamentals behind the processes of Parliament. Participants experienced Parliament in a real-life situation in the Legislative Assembly of Delhi's chamber. The programme also included taking part in parliamentary procedures, debating legislation and motions in relation to the fictional 'Commonwealthland'.

Youth delegate Talulah Thomas representing Wales summarized the event as follows: "Not only did I gain a deeper understanding of the parliamentary and legislative system, but I learnt about the diversity within global politics and how varied all of our systems and legislation are. Saying this, the most vital message that was clear to see is that no matter our backgrounds, culture and diversity - we came together to cooperate and work as a group of like-minded and passionate people who want to see change in our politics and societies. Bonds and connections were formed, which highlights how bringing young people from across the globe can make a huge impact on our development as people and how we view the world. I couldn't be prouder of everyone who took part."

Pragya Sagar from India said: "The past few days have been the most amazing days of my life and I am going to cherish this experience forever. It was so nice getting to meet, know and learn from all Youth Parliamentarians. All are amazingly kind, passionate and so driven."

Jordan Hutcheson from The Bahamas said: "I am honoured to have been chosen to represent my country. I will forever be indebted to the CPA, for allowing me to be surrounded by the Commonwealth's brightest, for allowing me to remember why I started this fight and why I must never stop! I plan on sharing the immense knowledge I gained here and creating a better infrastructure for my country's National Youth Parliament."



Mele Fonua from Tonga said: "I'm going to run for office with this knowledge someday, and I guarantee it will be crucial, so the programme is necessary. I want to apply this in the Tonga Youth Parliament and Girls Takeover Parliament and just be more aggressive in holding the government accountable."

The 10th Commonwealth Youth Parliament gave participants a pan-Commonwealth experience and a hugely valuable networking opportunity with current young Members of Parliament from the Commonwealth who acted as mentors – Hon. Fasiha Hassan, MPL from the Gauteng Provincial Legislature in South Africa who also acted as the Speaker of the 10th CYP and Hon. Travis Robinson, MP from The Bahamas Parliament.

The 10th Commonwealth Youth Parliament opening ceremony saw welcome addresses by Shri Ram Niwas Goel, the Speaker of the Delhi Assembly; Shri Arvind Kejriwal, Chief Minister of Delhi; Hon. Emilia Monjowa Lifaka, MP, Chairperson of the CPA International Executive Committee and Deputy Speaker of the National Assembly of Cameroon; and the chief guest: Shri Om Birla, Speaker of the Lok Sabha, Parliament of India.

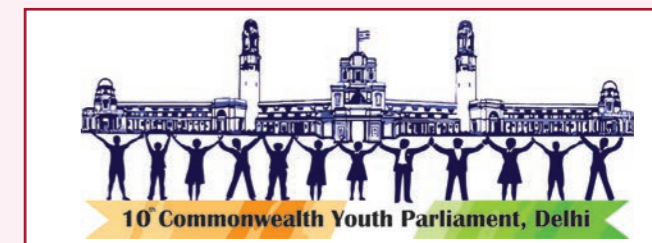
The CPA Chairperson said: "I am delighted that we are able to hold the 10th Commonwealth Youth Parliament at the Delhi Legislative Assembly in Delhi, India, together with the CPA Delhi Branch and the CPA India Regional Secretariat. India has long recognised the importance of young people to the future of society. The decision to host the 10th Commonwealth Youth Parliament shows not only a commitment to empower its own young people, but also a wider commitment to the development of Commonwealth youth beyond its own shores. As an Association

primarily for Parliamentarians, we recognise that young people have a proven capability to lead change and are a vital and valuable investment for now and the future."

Hon. Ram Niwas Goel, MLA, Speaker of Delhi Legislative Assembly, said: "To welcome and host such an enormous cavalcade of young people representing many nations from across the Commonwealth is a terrific honour. We will take this fantastic opportunity to aid the development of their leadership abilities, allow them to experience the inner workings of our democracy, as well as instilling an unwavering verve in them to affect positive change in their respective communities, with an enthusiastic approach throughout the course of the programme."

The 10th Commonwealth Youth Parliament engenders an environment for youth Parliamentarians to develop their debating and interpersonal skills. The #CYP10 is designed to introduce young people to a professional sphere they potentially may occupy in the future and to foster international cooperation and good governance.

- To view proceedings of 10th Commonwealth Youth Parliament visit <https://www.facebook.com/dvsdelhi/>.
- For images visit www.cpahq.org/cpahq/flickr and #CYP10 on Twitter.



- The Commonwealth Youth Parliament (CYP) is one of the CPA's most popular programmes bringing together participants aged 18-29 representing nine CPA Regions – Africa; Asia; Australia; British Islands & Mediterranean; Caribbean, Americas & Atlantic; Canada; India; Pacific; South-East Asia.
- *The full list of CPA Branches being represented at the 10th CYP were: Australian Capital Territory (Australia); New South Wales (Australia); South Australia; Bahamas; Barbados; British Columbia (Canada); Falkland Islands; Free State (South Africa); Gauteng (South Africa); Gibraltar; Haryana (India); Himachal Pradesh (India); India Union; Jersey; Kerala (India); Malawi; Malaysia; Mauritius; Montserrat; Namibia; New South Wales (Australia); New Zealand; North-West Province (South Africa); Odisha (India); Rajasthan (India); South Australia; Sri Lanka; Tonga; Uganda; Uttar Pradesh (India); United Kingdom; Wales; West Bengal (India).

Commonwealth Parliamentarians from the largest democracy in the world gather at 7th CPA India Regional Conference in Uttar Pradesh

Over 100 Commonwealth Parliamentarians from across India have renewed their focus on Parliament's role in the sustainable development agenda and reaffirmed their commitment to democracy at the 7th CPA India Regional Conference held for the first time in Lucknow, Uttar Pradesh, from 15 to 18 January 2020.

The Chairperson of the CPA India Region and Speaker of the Lok Sabha, India Parliament, Hon. Shri Om Birla, MP inaugurated the Regional Conference and said: "India's democracy is the largest democracy in the world. We have preserved our Constitution and democratic system of governance. With this being our responsibility, it is a matter of pride for us. Parliament has done commendable work to usher in social, economic and political changes. It has played a crucial role in participative democracy, social integration and social justice, as also for development of scientific temperament and socio-economic progress of the people."

The CPA Regional Conference was hosted by the CPA Uttar Pradesh Branch and the Speaker of the Uttar Pradesh Legislative Assembly, Hon. Hriday Narayan Dixit who welcomed delegates to the Regional Conference and said that the outcomes of the CPA India Regional Conference would strengthen democracy. The opening session of the Regional Conference was also addressed by the Chief Minister of Uttar Pradesh, Hon. Yogi Adityanath, the Leader of the Opposition, Hon. Ram Govind Chaudhary and the Governor of Uttar Pradesh, Hon. Anandiben Patel.

Uttar Pradesh Chief Minister, Yogi Adityanath said that the CPA has played an important role in facilitating democracy and the spirit of Indian democracy is in line with the spirit of the Commonwealth. He also said that India appreciates the Commonwealth and Constitution makers of India have been entrusted with the



responsibility of preserving democracy and so everyone has to play their role through protecting unity and integrity.

During the two-day conference, discussions included increasing the efficiency of the people's representatives and improving the standard of the House's meetings. The CPA Acting Secretary-General, Mr Jarvis Matiya sent a video message to delegates and highlighted the CPA Recommended Benchmarks for Democratic Legislatures which many Commonwealth Parliaments are implementing through assisted self-assessments.

Ahead of 7th CPA India Regional Conference, the CPA India Regional Chairperson and Speaker of the Lok Sabha, India Parliament, Hon. Shri Om Birla, MP chaired a meeting of the CPA India Regional Executive Committee.

The CPA India Regional Conference brought together Speakers and Members of Parliament from the national Parliament of India (Rajya Sabha and Lok Sabha) and thirty-one state and provincial Legislatures across India, one of the most populated regions and the largest democracy of the Commonwealth. Representatives also attended from Australia, Malaysia and other Commonwealth countries.

Inaugural Regional Parliamentary Human Resources Forum hosted by CPA New Zealand

The CPA New Zealand Branch and the Parliament of New Zealand played host to officials from 15 CPA Branches for the inaugural Regional Parliamentary Human Resources Forum. More than 45 delegates from National and State Parliaments in the CPA Australia Region and National Parliaments in the CPA Pacific Region attended the forum in February 2020, designed to share ideas, build networks, and develop new ways to address common obstacles in the human resources and people leadership space.



The forum was the idea of Chief Executive of the New Zealand Parliamentary Service Rafael Gonzalez-Montero, who remarked that *"a Parliament's effectiveness relies on the quality of the people, leadership, and culture within the agencies that support them. While each of our Legislatures are unique, we all share common characteristics and challenges that other organisations do not."*

The co-convenor of the forum, the New Zealand Clerk of the House and CPA New Zealand Branch Secretary, David Wilson, added that *"inter-parliamentary forums are a great way of sharing ideas between parliamentary agencies. This forum was the first time that human resources colleagues from across the Australia and Pacific regions have come together."*

Sessions included services to members of Parliament and parliamentary staff; parliamentary culture; building diverse workforces; and supporting new ways of working, and presentations from New Zealand employment, law, and diversity specialists.

"Initially, you think that Parliaments are created equal, but throughout this forum I've really developed an understanding of the fact that while we have similar challenges, we all operate within very different environments," Clare McMullan, Department of Parliamentary Services Senior People Partner, Parliament of Victoria, said. *"Parliament is such a unique environment and I think it's really important for us to be able to share how HR initiatives work within that environment."*

One key discussion was building workforces that reflect communities' diversity - whether increasing ethnic diversity for the

Parliament of Tasmania or preparing for Fijian Parliament staff soon reaching retirement age.

Despite their different contexts, many of the approaches to reflect communities were similar, including creating recruitment strategies to attract diverse pools of applicants, becoming aware of and taking steps to address unconscious bias, and developing frameworks to ensure staff equity. Learning about software and technology used by other Parliaments was a highlight of the forum for Joycelyn Kilua Hevalao, Human Resources Manager at the Solomon Islands Parliament. *"It's good to share ideas because it opens our minds. It gives us ideas to take back to our Parliament to improve how we work,"* she said. *"Some learning and development initiatives we hadn't done with our staff because we didn't know how to get the resources, but now we do."*

Fiji Head of Finance, Administration and IT, Office of the Secretary General Sefanaia Tudonu found it valuable *"learning from the more experienced professionals in the forum"* about Parliament administration, particularly contrasting service delivery in unicameral and bicameral parliaments. *"It has given us some insights into how we can improve back in Fiji."*

The Pacific delegates attended with support from New Zealand Parliament's Tai a Kiwa-Stronger Pacific Parliaments programme. By the forum's end, delegates had developed terms of reference for a regional parliamentary human resources network and plans for another forum.

CPA Canada visit Trinidad and Tobago and Barbados

Commonwealth Parliamentarians from the CPA Canada Federal Branch have undertaken visits to two CPA Branches in the Caribbean, Americas and Atlantic Region as part of the Canadian Region's mandate to strengthen bonds with Commonwealth partners and to facilitate twinning programmes between the Canadian Provincial and Territorial Legislatures with Caribbean Parliaments.

The delegation was led by the CPA Canada Branch Chairperson, Hon. Yasmin Ratansi, MP. In Trinidad and Tobago, Canadian delegates met with the President of the Senate, Senator Hon. Christine Kangaloo; the Speaker of the House of Representatives, Hon. Bridgid Annisette-George, MP and members of the CPA Trinidad and Tobago Branch.

In Barbados, the Canadian delegation attended debates in the Senate of Barbados, where they had the opportunity to hold talks with Senators led by Sir Richard Cheltenham, President of the Senate, and Gline A. Clarke, Deputy Speaker of the House of Assembly of the Parliament of Barbados.



Commonwealth Parliamentarians and Auditors from the UK Overseas Territories commit to work together on oversight of public finances



An innovative project bringing together the Chairs of Public Accounts Committees (PACs), parliamentary clerks and the heads of Internal and External Audit agencies from the UK Overseas Territories has held its latest workshop in London, UK. This third Forum of the UK Overseas Territories Project brought together key actors to explore the issue of public financial oversight and good governance.

The Oversight of Public Finances and Governance Forum ran from 9 to 11 December 2019 and was attended by representatives from CPA Branches in Anguilla, Bermuda, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, St Helena, Turks and Caicos Islands and the British Virgin Islands. The initiative was

delivered in partnership by the CPA UK Branch, UK National Audit Office (NAO) and the Government Internal Audit Agency (GIAA).

The London Forum was an opportunity to explore progress on the project to date, address some of the ongoing challenges faced by PACs, Internal and External Audit agencies and identify ways in which the partners can continue to work together beyond the end of the project in 2020 to ensure long-lasting impact. The project's activities since its launch in 2017 had included Clerk attachments from the UK devolved legislatures and Crown Dependencies to PACs in the UK Overseas Territories; multilateral training for External Auditors; secondments to the NAO and GIAA; and workshops for Parliamentarians and officials.

The Chair of the UK Overseas Territories Project, Rt Hon. Lord Foulkes, stated: *"I have been delighted to see the positive outcomes from the UK Overseas Territories Project. The UK Overseas Territories have demonstrated a strong commitment to working together to strengthen their public financial oversight and scrutiny functions. With the latest phase of the project scheduled to come to an end in 2020, the London Forum was an opportunity to cement the learning and good practice that has been developed to ensure that effective public financial oversight continues beyond the life of the project."*

Climate change on the agenda for Commonwealth Parliamentarians from CPA Branches at 28th Asia-Pacific Parliamentary Forum in Australia

Commonwealth Parliamentarians from across the CPA Australia and Pacific Regions focused on the impact of climate change at the 28th Asia-Pacific Parliamentary Forum (APPF28) in Australia held from 13 to 16 January 2020. The issue of climate change in the region has been brought into sharp focus by the tragic Australian bushfires in the last few months and delegates also debated the role of climate change in recent natural disasters.

The Speaker of the Australian House of Representatives, Hon. Tony Smith, MP opened the 28th Asia-Pacific Parliamentary Forum in the Parliament of Australia's Great Hall and welcomed over 350 delegates from 30 countries to discuss a wide range of subjects such as security, economics and trade, and regional cooperation. Members also discussed gender representation and equality. The Australian Speaker said: *"Since the first APPF in 1993, the forum has been an incredible opportunity for Parliamentarians to share experiences with colleagues from around the world. I'm especially pleased that at this year's forum, we are welcoming delegates from countries in the Pacific Island Forum. Events such as APPF28 form part of the Australian Parliament's International Programme, which helps to promote understanding, sharing of knowledge and democratic development with our fellow Parliaments around the world."*

Commonwealth delegates attending the APPF28 represented the following CPA Branches: Australia; Fiji; New Zealand; Malaysia; Singapore and Canada; with the following CPA Small Branches attending the forum as observers: Cook Islands; Kiribati; Nauru; Samoa; Solomon Islands; Tonga; Niue and Tuvalu. The following



non-Commonwealth countries also attended the APPF28: Federated States of Micronesia; Cambodia; Indonesia; Laos; Philippines; Vietnam; Thailand; China; Japan; Korea; Mongolia; Russia; Chile; Mexico.

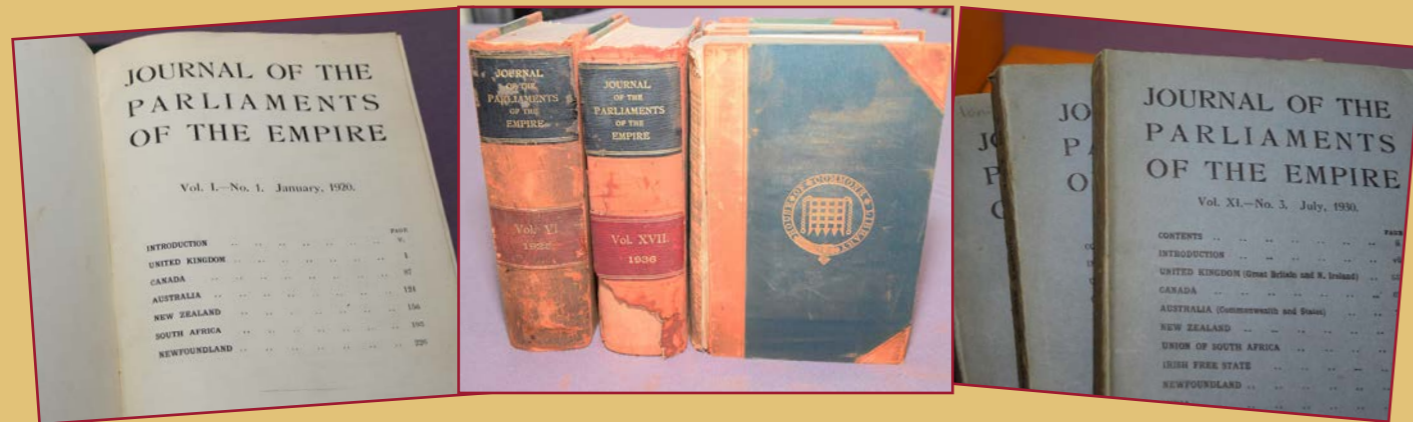
The issue of climate change in the region is particularly relevant to the CPA's Small Branches and the CPA Headquarters Secretariat recently launched a new toolkit on climate change for Commonwealth Parliamentarians from CPA Small Branches. The toolkit has been produced to inform Parliamentarians from small states on how they can also be effective actors in the climate change agenda.

Asia-Pacific Parliamentary Forum: The first meeting of the Asia-Pacific Parliamentary Forum was held in Singapore in August 1991 with the inaugural forum held in January 1993 in Tokyo, Japan. For further information about the 28th Asia-Pacific Parliamentary Forum visit <https://appf28.org/>.



A century of publishing *The Parliamentarian*, the Journal of Commonwealth Parliaments, 1920-2020

The Commonwealth Parliamentary Association (CPA) traces its origin to a world vastly different from today. When the CPA was founded in 1911 as the Empire Parliamentary Association, the world had scarcely two dozen nations which were parliamentary democracies. The British Empire was composed of one sovereign parliamentary democracy, five dominions, a handful of tiny protectorates and a vast array of colonies. Today, the United Nations has 193 member states, 54 of them in the Commonwealth. The CPA's membership of 180 Branches also includes fourteen Overseas Territories, three Crown Dependencies and more than 125 sub-national states, provinces and territories in federal-style countries, all with their own Parliaments or Legislatures. Some of the states and provinces and their Legislatures are far larger and their economies more significant than many independent countries.

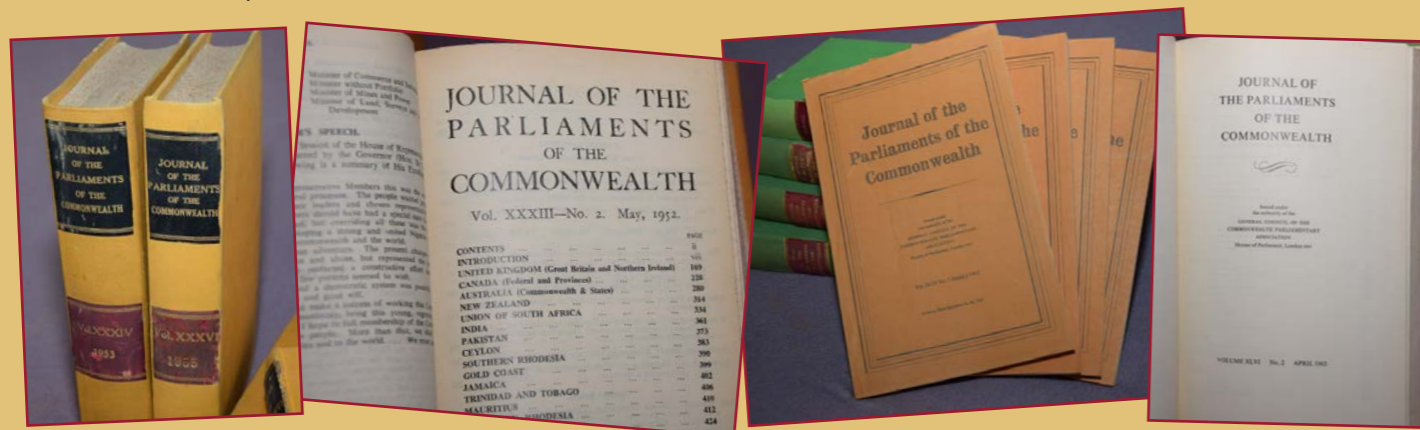


In January 1920, the 'Journal of Parliaments of the Empire' was first published as the record of the debates and activities of the Parliaments of the Association, published four times a year.

The first meeting of the Association, held to mark the coronation of King George V in 1911, paved the way for future meetings of Parliamentarians and as it moved into the 1920s, a new political role emerged for the Association as a link to keeping a changing global empire together. The Association's membership began to expand, taking in many different countries. Soon other Parliaments joined from Europe, Asia and the Caribbean, and Australia's states and Canada's provinces began joining the group to extend the Association into its next phase.

As the Association began to expand more widely, the CPA became, and continues to be, the natural arena for Parliamentarians and parliamentary officials to learn their profession from each other. CPA Conferences, which became annual from 1961 having previously been held every two years, added discussions on parliamentary and electoral processes to the usual agenda of political – especially foreign policy – issues. Seminars, such as the Westminster Seminar on Parliamentary Practice and Procedure which began in the early 1950s, meetings of Presiding Officers and Clerks and study groups on parliamentary subjects.

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In 1949, when the London declaration formed the 'modern' Commonwealth, the publication became the 'Journal of the Parliaments of the Commonwealth'. In 1966, the journal became *The Parliamentarian* as the established publication of the Association.



Between 1966 and 1984, *The Parliamentarian* was published as a book format. Regular features at the time included the architectural plans for new Parliament Buildings in Commonwealth jurisdictions.

The quarterly journal underwent a transition from a summary of debates in Commonwealth Parliaments to become a record of advances in democratic governance and a forum for the sharing of best practice. At the same time, the CPA would take on the professional development role, not just for new Parliamentarians in emerging Assemblies, but for all Parliamentarians throughout the Commonwealth. By helping Parliamentarians and parliamentary officials to enhance their knowledge of the many different ways in which their institution operates throughout the Commonwealth, to understand diverse perspectives on political issues and to realize that they are not alone in the practice of their professions, the CPA has contributed to the improvement of governance throughout the Commonwealth. In 1966, the journal became *The Parliamentarian* as the established publication of the Association.



In 1984, the magazine format for *The Parliamentarian* was first launched (Volume LXV: Issue 3). The first magazine design for *The Parliamentarian* ran from 1984 to 1998. The second magazine design for *The Parliamentarian* ran from 1999 to 2008. The third magazine design for *The Parliamentarian* ran from 2009 to 2019. In January 2020, the CPA marked the 100th anniversary issue of the first publishing of the journal in January 1920 (Volume 1 Issue One).

Over the years, supplements to *The Parliamentarian* have featured the host Branches for the Commonwealth Parliamentary Conference and the CPA Executive Committee Meetings, showcasing their Parliaments and political life. *The Parliamentarian* features regular columns by the CPA Chairperson, the CPA Small Branches Chairperson, the Commonwealth Women Parliamentarians Chairperson and the CPA Secretary-General to highlight the work of the CPA and its networks.

Today, *The Parliamentarian* continues to be published for the benefit of the Association, reaching around 17,000 Parliamentarians and parliamentary staff in the CPA's 180 Parliaments and Legislatures in both print and digital format. Subscribers also include academia interested in political science, research libraries and global organisations.

Text and images by Jeffrey Hyland, Editor, *The Parliamentarian*. The historic copies of CPA journals are held in the CPA archives at CPA Headquarters Secretariat. Please email editor@cparhq.org for further information or enquiries.

Digital copies of recent issues of *The Parliamentarian* can be accessed at the CPA website via the following links:
www.cparhq.org/cparhq/parliamentariancurrentissue | www.cparhq.org/cparhq/parliamentarianarchive | www.issuu.com/the-parliamentarian



DELIVERING A COMMON FUTURE: CONNECTING, INNOVATING, TRANSFORMING

The Commonwealth Secretary-General marks the 100th anniversary of this journal and looks ahead to the CHOGM 2020 in Rwanda.



Rt Hon. Patricia Scotland, QC, who took office as Secretary-General of the Commonwealth in April 2016, serves the 54 governments and 2.4 billion people of the Commonwealth. Born in Dominica, she moved to the UK at an early age. A lawyer by profession, she became the first black and youngest woman ever to be appointed Queen's Counsel. She is the only woman since the post was created in 1315 to be Attorney-General for England and Wales, and also for Northern Ireland. Appointed to the House of Lords as Baroness Scotland of Asthal in 1997, she has been Alderman for Bishopsgate Ward in the City of London since 2015.

In serving the nations of the Commonwealth, and carrying forward the responsibilities entrusted to me by their Heads of Government, I have the pleasant if at times demanding duty of visiting member countries and meeting people active in many areas of national and community life, and of engaging with the institutions that serve them.

In doing so, I see at first hand and close-up the truly remarkable depths of connection and the closeness of goodwill, trust and mutual support that flourish among the 2.4 billion citizens of the Commonwealth, and those who represent and serve them at whatever level and in whatever capacity.

With such depth of connection comes fruitful cooperation: nations growing together and encouraging one another towards higher attainment, with firmer fulfilment and closer adherence to the values and principles of the Commonwealth Charter.

This edition of *The Parliamentarian*, marking the 100th anniversary of the first publication of the Journal of Commonwealth Parliaments, reminds us of the long record of cooperation and sense

of collegiality among the Parliaments and Legislatures of our member countries. Valuable bilateral exchanges and international meetings of those elected or appointed to represent our citizens, and of officials who serve Parliaments and Legislative Assemblies, are augmented by journals, periodicals and other publications which help to disseminate news of progress and innovation.

They also facilitate continuing professional development and expansion of knowledge, enhancement of procedures and practice, and improvements in accountability and transparency so that our democratic institutions and the machinery of government answer to the needs and expectations of electorates. Such concerns align closely with Commonwealth priorities for continually raising levels of performance and responsiveness.

Under the heading 'Democracy', Article 1 of the Commonwealth Charter reads:

'We recognise the inalienable right of individuals to participate in democratic processes, in particular through free and fair elections in shaping the society in which they live.'

Governments, political parties and civil society are responsible for upholding and promoting democratic culture and practices and are accountable to the public in this regard. Parliaments and representative local governments and other forms of local governance are essential elements in the exercise of democratic governance.'

"As we celebrate the 100th anniversary of the first publication in 1920 of the Journal of Commonwealth Parliaments, and the continuing contribution of the Commonwealth Parliamentary Association to the life and vitality of our global family of nations, we can take pride in all that has been achieved."

Relating very directly to the realisation of these aspirations are the *Commonwealth Latimer House Principles on the Three Branches of Government*, which set out the relationship that should pertain in democratic societies among the Executive, Parliament and the Judiciary.

The principles emphasise the importance of the separation of powers in entrenching democracy and good governance. Each of these institutions must exercise power in its own constitutional sphere while maintaining mutual respect for the corresponding legitimacy of the others.

Article 1 of the Commonwealth Latimer House Principles states that:

'Each Commonwealth country's Parliaments, Executives and Judiciaries are the guarantors in their respective spheres of the rule of law, the promotion and protection of fundamental human rights and the entrenchment of good governance based on the highest standards of honesty, probity and accountability.'

Such entrenchment or incremental sedimentation is the result of continual interaction and mutual encouragement among the national and regional institutions of our member countries – made up as they are of people who grow and develop in understanding and capability through study and exposure to developing ideas and good practice.

This occurs at multiple levels, and Parliamentarians have a vital role in enabling it to filter down to local level among those they represent, as they also hold to account Ministers and officials at the highest levels of government. The highest level at which interaction takes among our member countries is at the biennial Commonwealth Heads of Government Meeting, or CHOGM as it is more generally known.

At successive CHOGMs,



Above: The President of Rwanda, His Excellency Paul Kagame joins the UK Prime Minister, Rt Hon. Boris Johnson, MP, current Chair-in-Office of the Commonwealth and the Commonwealth Secretary-General, Rt Hon. Patricia Scotland at a special Commonwealth reception in the margins of the 74th United Nations General Assembly in New York to mark the hosting of CHOGM 2020 in Rwanda.

Heads of Government have lifted Commonwealth ambition for its people and maintained its global relevance through the contributions of governments and national institutions, the Commonwealth Secretariat and other intergovernmental and associated organisations – including the Commonwealth Parliamentary Association, and networks of civil society organisations, business and other partners.

CHOGM 2020 will soon be upon us, when in June the leaders of our 54 member nations meet in Kigali, the capital of Rwanda, which became a member of the Commonwealth family just over ten years ago in 2009.

Alongside the Heads of Government Meeting itself, and the associated meeting of Foreign Ministers, there will be Commonwealth Forums for civil society, business, youth and women. These will add greatly, as they always do, to the vibrancy, dynamism and value of the gathering. They also enhance the reality of our being a Commonwealth of the

people, rather than simply of governments.

This very human and organic characteristic of the Commonwealth adds immensely to the depth and credibility to our collective expressions of ambition and aspiration, and enables us continually to adapt and evolve in response to changing circumstances and emerging needs.

In Kigali, we will be ten years away from the target date for delivering the 2030 Agenda for Sustainable Development. Ensuring peaceful, just and inclusive societies anchored in strong institutions will create a conducive environment for attaining the Sustainable Development Goals.

So as we work on priorities and desired outcomes for

CHOGM 2020, the focus of our member countries is on delivering initiatives that are achievable, comprehensive and meaningful, providing continuity as well as change. To do so we leverage 'Commonwealth Advantage' – the distinctive product of our members generally having such similar systems of government, democracy, law and regulation – to consolidate achievements and build together on so much that we share.

Under the CHOGM 2020 theme: *'Delivering a Common Future: Connecting, Innovating, Transforming'*, our leaders will for example consider how the Commonwealth can employ ICT and innovation as enablers of inclusive growth. This means boosting trade and creating higher levels of employment,



“There will also be consideration of new environmental initiatives to build on the success of the Commonwealth Blue Charter ... Protecting aquatic life and water resources together with living lands, forests and healthy urban environments calls for measures to combat the impact of anthropogenic climate change, to eliminate plastic pollution and tackle desertification through sustainable use of resources and regenerative development.”

particularly for young people, in order to build greater resilience into the economies of member countries, together with social and political progress in which all are able to share.

There will also be consideration of new environmental initiatives to build on the success of the Commonwealth Blue Charter launched at CHOGM 2018, which was hosted by the United Kingdom. Rwanda is a land-locked country, yet located within the Great Lakes region of Africa, and so a natural focus will be on combining both blue and green issues.

Protecting aquatic life and water resources together with living lands, forests and healthy urban environments calls for measures to combat the impact of anthropogenic climate change, to eliminate plastic pollution and tackle desertification through sustainable use of resources and regenerative development.

Together with such wide-ranging and vital concerns for the well-being of our planet, which affects each and every one of us, there are our Commonwealth priorities relating to the dignity

and welfare of all people and communities, particularly those that are marginalised or disadvantaged. So consideration of how to combat injurious social practices, to boost affordable healthcare and to provide quality education for all continue to feature high on our agenda.

Pressing ahead with practical action to achieve gender equality, which is an indispensable and vital driver of social, economic and political progress, will be at the forefront of our minds as we assemble in Rwanda, which has achieved the impressive levels of over 60% female membership in its Lower House of Parliament, and almost 40% in the Upper House.

This demonstrates the important role our Parliaments and Parliamentarians have in driving forward progress, and in setting ambitious goals for attainment nationally, regionally and for the Commonwealth collectively.

As we celebrate the 100th anniversary of the first publication in 1920 of the Journal of Commonwealth Parliaments, and the continuing contribution of the Commonwealth Parliamentary

Association to the life and vitality of our global family of nations, we can take pride in all that has been achieved.

Likewise, we can draw mutual encouragement for the future as we challenge ourselves and one another to attain ever-higher levels of health, hope and happiness for all people of the Commonwealth, and for our world.

Speaking in 1952, the year in which at the age of only 25 she succeeded her much-loved father King George VI as Head of the Commonwealth, Her Majesty Queen Elizabeth II said of the Commonwealth: “It is an entirely new conception, built on the highest qualities of the spirit of man: friendship, loyalty and the desire for freedom and peace.”

In pursuit of that desire for freedom, many nations have during the course of the past century grown to maturity and independence, taking their rightful place as full members of the Commonwealth family. Yet our sense of interdependence, of growing together and building peace has also developed, drawing on deep wellsprings of kinship, friendship and affinity – loyalty to one another as well as to high ideals.

These are the attributes which enable the Commonwealth to shine as a beacon for multilateralism. Its guiding beams continue to refract through the discourses and debates of Parliaments and Parliamentarians, casting a rich kaleidoscope of light on the patterns of life in our member nations.

One hundred years on from the founding edition of this publication, motivated by a sense of community in diversity and cooperating on the basis of equality and self-determination, the member nations of the Commonwealth work towards delivering a common future that is fairer, more prosperous, more sustainable and more secure.



Image: Commonwealth Secretariat

The Maldives re-joins the Commonwealth



The Republic of The Maldives re-joined the Commonwealth on 1 February 2020, becoming the 54th nation of the Commonwealth. The small island nation rejoined the Commonwealth following a process of over a year that began in December 2018 when President Ibrahim Mohamed Solih wrote to the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC expressing the country's interest in re-joining.

Following a country assessment and consultations in accordance with the rules and procedures agreed by the Commonwealth Heads of Government in Kampala in 2007, the Maldives has now been re-admitted into the organisation. The assessment included positive feedback given by a Commonwealth Election Observer Group for the Parliamentary Elections in April 2019. The Maldives also presented evidence of functioning democratic processes as well as popular support for re-joining.

The Commonwealth Secretary-General said: “I warmly congratulate Maldives on its successful application. We are delighted to welcome the country and its people back to the Commonwealth. The reform process underway in Maldives aligns with the values and principles of the Commonwealth and we encourage the nation to continue on this path. Commonwealth members were pleased to note these developments and are happy once again to count Maldives as a member of the family. Together we will support Maldives to realise its ambitions.”

The President of the Republic of the Maldives, His Excellency Ibrahim Mohamed Solih, said: “Today is a happy day for Maldivians as we return to the family of Commonwealth nations. As a young democracy, the Commonwealth's foundational values of the promotion of democracy, human rights, good governance, multilateralism and world peace remain relevant to us more than ever. We gratefully acknowledge the support and help of the Commonwealth to the Maldivian democratic movement, and we look forward to the support of fellow member states to ensure the long-term entrenchment of these values in our society.”

The Maldives will now take part in the forthcoming Commonwealth Heads of Government Meeting (CHOGM) in Kigali, Rwanda from 22 to 28 June 2020 and its Ambassador to the UK now becomes its High Commissioner, signifying its Commonwealth membership.

The Maldives joined the Commonwealth in 1982, and withdrew its membership in 2016.



Image: Commonwealth Secretariat

Under the Constitution of the Commonwealth Parliamentary Association (Article 3:1), the Parliament of the Maldives (People's Majlis) is eligible to rejoin the CPA's Association of over 180 Commonwealth Parliaments and Legislatures. The small island nation would also become a member of the CPA Small Branches network which represents jurisdictions with populations of up to 500,000 people and addresses the needs of the smallest Legislatures in the Commonwealth. The Speaker of the People's Majlis is Hon. Mohamed Nasheed.

Following the announcement, a special flag raising ceremony for The Maldives was held at the Commonwealth Secretariat's headquarters, Marlborough House, attended by the Foreign Minister of The Maldives, Hon. Abdulla Shahid; the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC; and Dr Farah Faizal, the High Commissioner of The Maldives to the UK along with High Commissioners and representatives from all Commonwealth countries.

The Maldives Foreign Minister, Hon. Abdulla Shahid and the Majority Leader in the Maldives Parliament, Hon. Ali Azim, MP met in London with the Acting CPA Secretary-General, Mr Jarvis Matiya to discuss the proposed return of the Parliament of the Maldives (People's Majlis) to the Commonwealth Parliamentary Association. The Acting CPA Secretary-General said: “The Commonwealth Parliamentary Association welcomes the Maldives back into the Commonwealth family and the CPA looks forward to the Parliament of the Maldives (People's Majlis) rejoining the CPA soon.”

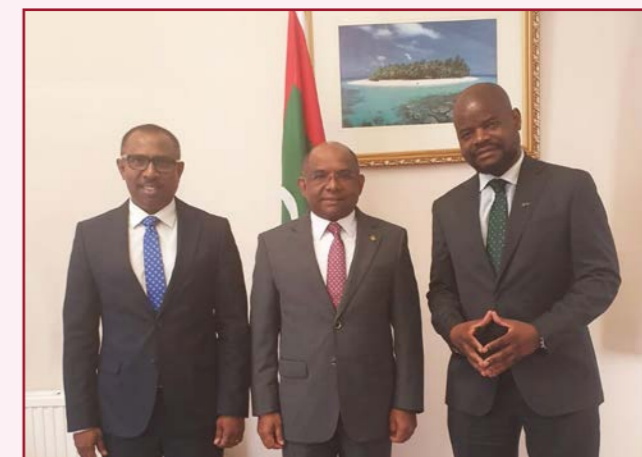


Image: CPA Headquarters Secretariat



BUILDING COMMONWEALTH LINKS IN THE POST-BREXIT WORLD: A VIEW FROM GIBRALTAR

The Deputy Chief Minister of Gibraltar looks at future links being built in the Commonwealth.



Hon. Dr Joseph Garcia, MP is the Deputy Chief Minister of Gibraltar and its Minister for European Affairs. In a re-shuffle that followed the UK Referendum on EU membership, he was also appointed Minister for work relating to the United Kingdom's departure from the European Union, known as Brexit. He was first elected to the Parliament of Gibraltar in 1999 and he became the Deputy Chief Minister in 2011.

The Government of Gibraltar supports the work of the Commonwealth Parliamentary Association (CPA) and our Parliamentarians, both from the Government and from the Opposition benches, are active participants in CPA events. We fly the Gibraltar flag. We represent our Parliament and our country. And we do so with pride. Because in the CPA, the small countries are equal to large ones.

This article will look at the relationship that Gibraltar enjoys with the Commonwealth. In doing so, I will dwell on the past and also look forward to the future.

At the time of publication of this Journal, Gibraltar will have left the European Union. The EU flag will be lowered and replaced by the flag of the Commonwealth. That simple act carries a serious political message.

Clearly, 'Brexit' will serve to frame this discussion and will obviously colour the context of what I have to say. In 2019, we marked 70 years of the foundation of the Commonwealth in 1949. Gibraltar is proud of our long and historic relationship with its institutions and organisations.

The Gibraltar of today, a modern, cosmopolitan city and vibrant trade hub, is deeply rooted in our rich history. I make no apologies as a historian. Our history has made us who we are today: a culturally, ethnically and religiously diverse People who are proud to call themselves Gibraltarian.

Like many of our friends across the Commonwealth, Gibraltarians boast a unique

cultural identity. We have lived on this Rock for more than three hundred years. We are a British Overseas Territory, a modern nation in our own right.

We are one of many in this modern, forward-looking family of countries and territories brought together by shared experiences, by language, by culture, by traditions and by way of life. And we have a clear willingness to use this to our advantage as we carve out our own destiny. Our own place in the world. Because it is, indeed, those values that define us.

That is as true for individuals as it is for governments, institutions and the people that we have the privilege to represent. And those values are, inevitably, shaped by our experiences of the past and our hopes for the future.

We Gibraltarians are well known for our resilience, for our entrepreneurial ability, for our courage, for our determination, for our ability to turn any potentially bleak situation into a new opportunity for growth, development and trade. That is what our history has shown.

As we begin to look outside of the Continent, we want to continue to do business with those who share our core values of fairness, openness and transparency.

Our main market today is the United Kingdom. That has been guaranteed post-Brexit. And we will now also logically look to our friends in Commonwealth family. It is good to see that they look to us also.

The High Commissioners

to the UK of Australia, Canada, New Zealand and India have all come to Gibraltar since the 2016 referendum. They want to learn about our ambitions and listen to our concerns. For Gibraltar has long played an active part in the organisations and institutions of the Commonwealth.

My colleague, the Minister for Justice, Multiculturalism, Equality and Community Affairs, Hon. Samantha Sacramento, MP is on the British Islands and Mediterranean Regional Steering Committee of the Commonwealth Women Parliamentarians (CWP).

Hon. Steven Linares, MP, the Minister for Housing, Youth and Sport is an alternate on the Board of the Commonwealth Local Government Forum (CLFG).

The Minister for Economic Development, Hon. Sir Joe Bossano, MP is actively involved in the Commonwealth Telecommunications Organisation.

Indeed, until recently the CEO

“The Commonwealth is, indeed, a consensus-based international organisation. The lack of a rigid institutional structure, however, could be one of its greatest strengths. The Commonwealth cannot, and should not, attempt to replicate the European Union.”



Above: The Deputy Chief Minister of Gibraltar, Hon. Dr Joseph Garcia, in his capacity as Minister with responsibility for relations with the Commonwealth, speaks to students at a CPA Roadshow for young people in Gibraltar.

of our Postal Services was also the Chairman of the Conference of Commonwealth Postal Administrations.

We have participated in every Commonwealth Games since the first one in 1958. Indeed, Gibraltar bid to host the Commonwealth Youth Games here in 2021. The games were awarded to Trinidad and Tobago. We will try again in the future.

Gibraltar joined the Commonwealth Enterprise and Investment Council in 2017. This is the trading and business arm of the Commonwealth. The Council has agreed to open an office here in Gibraltar. This will happen shortly. That will open the door to new commercial contacts with the countries and territories of the Commonwealth.

Elsewhere, the Royal Gibraltar Regiment has deployed soldiers to Kenya, Cyprus and Sierra Leone over the years. They also served on a month-long deployment to Canada as part of a large multi-national exercise. Members of the Regiment were

deployed last year to The Gambia where they provided training and mentoring for the Gambian forces' UN deployment to the Darfur region of Sudan.

All of these are Commonwealth countries. All these are Commonwealth connections.

And Gibraltar was proud to have made a small effort to assist those Caribbean Commonwealth territories affected by the hurricanes in 2017 with aid, with supplies and with vehicles. These were specifically Anguilla, the British Virgin Islands, the Turks and Caicos Islands and Dominica. Again, this demonstrates the importance of being part of the family.

Also, in 2017, we were delighted to send young people to the 9th Commonwealth Youth Parliament (organised by the CPA) in Jersey for the first time. Indeed, at the end of last year, two more young Gibraltarians participated in the 10th Commonwealth Youth Parliament that was held in Delhi, India. They were selected through an essay competition. These opportunities

are available to many young people in Gibraltar.

In 2018, Gibraltar was represented at the Commonwealth People's Forum, the Commonwealth Women's Forum, the Commonwealth Business Forum and the Commonwealth Youth Forum which all took place in the margins of the last Commonwealth Heads of Government Meeting (CHOGM) that took place in London, UK. We are not a member state. We are the Overseas Territory of a member state.

The view of the Government of Gibraltar is that provision should be made for Gibraltar, and those Overseas Territories who wish it, to be represented at the actual Commonwealth Heads of Government Meetings in the future. This could be achieved through the creation of a new

status of Participating Guest or through some new kind of Affiliate or Associate Membership. The next Commonwealth Heads of Government Meeting takes place in Rwanda in June 2020.

It is true that different Commonwealth organisations have different structures. In some, Gibraltar is a full member equal to everyone else. In others, the statutes have been amended to accommodate British Overseas Territories.

Following proposals from Hon. Sir Joe Bossano, MP, for example, the Commonwealth Telecommunications Organisation, created a new category of Affiliate Membership.

When I last met the Commonwealth Secretary-General in London, we discussed finding a place for the Overseas Territories in the Commonwealth structure.

Some years ago, we initiated



a policy of taking young people from Gibraltar schools to visit the EU institutions in Brussels. Last year, for the first time, we changed the focus and the group went to London instead to visit the UK institutions and those of the Commonwealth. This included the Commonwealth Secretariat, the Commonwealth Enterprise and Investment Council and indeed our friends in the Commonwealth Parliamentary Association. I want to thank the CPA for hosting our students. There will be an opportunity for more students to participate in another such visit later this year.

2020 will bring challenges of course, as we leave the European Union. Whilst these challenges may be new, the sense of a collective responsibility in turbulent times, and of collaboration to create mutual prosperity is not new to any of us. For decades, we have been there for the Commonwealth family and the Commonwealth family has been there for us.

In 1915, during World War One, Gibraltar provided a safe haven for injured servicemen from Australia and New Zealand who arrived here on hospital ships from the conflict in Gallipoli. In 1940, Jamaica hosted two thousand Gibraltarian

civilians who were evacuated there after the outbreak of the Second World War.

In the 1960s, Australia passionately defended the right to self-determination of the people of Gibraltar at the United Nations in New York. And when the United Nations refused to send observers to the referendum that was held here in 1967, it was the Commonwealth that agreed to do so instead. That team of Commonwealth observers was headed by New Zealand's then Ambassador to France. The Observers included Kenya's Ambassador to West Germany and Jamaica's Assistant Attorney General. Another example of what it means to be a part of the family.

The irony cannot be lost upon us that only a few years later the UK stood accused of turning its back on the Commonwealth. This came in 1973 when both the UK and Gibraltar joined the European Economic Community. It was to be a dramatic turning point in the relationship with the 'old' Empire.

But the world has moved on since then. The Commonwealth too. Its member countries have since entered into strategic alliances or trade agreements

of their own. Yet our links with the Commonwealth, in better or worse times, have survived. The networks that we have managed to develop between us have not only endured. They have thrived. Some might refer to this as soft power networking.

I consider it to be something more. A deeper relationship that embeds centuries of shared experience, decades of cultural understanding, years of projecting the same values, the development of a strong sporting tradition, the sharing of expertise, and the formation of economic partnerships.

The Commonwealth is, indeed, a consensus-based international organisation. The lack of a rigid institutional structure, however, could be one of its greatest strengths. The Commonwealth cannot, and should not, attempt to replicate the European Union.

There are some who are critical of the Commonwealth's lack of a formal structure and question the absence of powers of enforcement. I do the opposite. I point precisely to the Commonwealth's history of enforcement. This has sometimes given effect to agreed

economic sanctions.

It has even led to the suspension of certain member states. I point also to the excellent work of the Commonwealth Parliamentary Association. The positive discussions at Commonwealth Heads of Government Meetings, and the intricate webs of networks that exist at Ministerial and diplomatic level. I point to the vibrancy of these relationships, and the dynamic nature of the work that we are able to do together. And I do not suggest for a minute that all this is set in stone.

We can, and should, develop those networks further still. The Government of Gibraltar is immensely proud of our young delegates to the Commonwealth Youth Parliaments and the Commonwealth Youth Forums. It is vital that our young people have a voice and a clear role in shaping the future of our relationships. After all, 60% of Commonwealth citizens are under the age of 30. We want to know what you think. We want your help in shaping new opportunities. New opportunities for Gibraltar in a new order.

With new technologies that reduce distance and make time irrelevant. Many of our young people, in the years to come, will have jobs and contribute to our economies and societies in ways that we cannot even imagine today. 'Brexit' is the spur to enhance our Commonwealth connections. To develop, strengthen and mould them to our mutual advantage. The opportunities that the future will bring are for our young people to shape. Because that future is yet to be written.

This article is based on a speech given to Year 12 and 13 students of Bayside School, Westside School and the College of Further Education as part of a CPA Roadshow event for young people in Gibraltar, Wednesday 8 January 2020.

Young people encouraged to play a positive role in democracy as Commonwealth Parliamentary Association brings CPA Roadshows to Gibraltar

The CPA has held two CPA Roadshows in Gibraltar aimed at introducing young people to the work of the CPA, the importance of the Commonwealth family and the CPA's vital role in the democratic process.

The CPA Roadshows were held for Year 12 and 13 students (17-19-year olds) at Bayside and Westside schools and students from the College of Further Education in Gibraltar. The two presentations were delivered by the Acting CPA Secretary-General, Mr Jarvis Matiya, and by the Deputy Chief Minister of Gibraltar, Hon. Dr Joseph Garcia, in his capacity as Minister with responsibility for relations with the Commonwealth.

The Acting Secretary-General spoke about the importance of the Commonwealth in democracy across the world and the role that young people can play in engaging in the democratic institutions in their own jurisdictions. He also spoke about the Commonwealth fostering a sense of community among its 54 member countries and the 2.4 billion people who live in them as well as the shared values of democracy, development and diversity, and the CPA's role in promoting these values.

The Deputy Chief Minister drew attention to the fact that, in just over three weeks' time, EU flags will be lowered across Gibraltar, with Commonwealth flags raised in their stead - meaning



Left: During his visit to the CPA Gibraltar Branch, the Acting CPA Secretary-General, Mr Jarvis Matiya held discussions with the Deputy Chief Minister of Gibraltar, Hon. Dr Joseph Garcia, in his capacity as Minister with responsibility for relations with the Commonwealth, on CPA activities and parliamentary strengthening programmes for the Gibraltar Legislature.



Gibraltar's membership of Commonwealth organisations like the CPA is now more important than ever.

Since they were launched in March 2016, there have been more than 60 CPA Roadshows which have reached over 11,000 young people in seven of the nine CPA Regions. Within these Regions, CPA Roadshows have been held in educational institutions in places such as Bangladesh, Montserrat, Guyana, Pakistan, Jersey, Mauritius, Queensland (Australia), Guernsey, UK, New Zealand, Tonga, Northern Ireland, Bermuda, Zambia, Isle of Man, Scotland, Malaysia, Singapore, Northern Territory (Australia), Turks and Caicos, Cayman Islands, Trinidad and Tobago, Belize, Canada, St Helena, Cameroon, Mauritius, Nevis and Jamaica.

The Commonwealth has a youthful population with more than 60% under the age of 30. This is the reason behind the CPA initiative to strengthen its outreach to the Commonwealth's young people.

The CPA Roadshows for schools and universities provide an opportunity for young people to learn about the political values of the Commonwealth such as diversity, development and parliamentary democracy; to discuss issues of concern about the society in which they live; and to find out about the work of the CPA through their questions at the sessions.

In addition to the CPA Roadshows for young people, the CPA Acting Secretary-General also met with Hon. Samantha Sacramento, MP, Gibraltar Minister for Justice and Equality, and Hon. Edwin Joseph Reyes, MP to discuss the CPA Gibraltar Branch's activities and further collaboration with the CPA Headquarters Secretariat.



The Parliament of Gibraltar.



ELECTION REFORMS: VOTES FOR 16 YEAR OLDS AND INSTITUTIONAL CHANGES FOR THE WELSH ASSEMBLY

A historic Act in the Welsh Assembly brings institutional changes.



Elin Jones, AM is Llywydd (Presiding Officer) of the National Assembly for Wales since May 2016 and has been a Member of Welsh Assembly since its creation in 1999. As Presiding Officer, she chairs the Business Committee and the Assembly Commission, as well as keeping order in Plenary meetings. Internationally, she represents the Assembly at meetings of the Conference of European Regional Legislative Assemblies (CALRE) and is CPA Wales Branch President. Before being elected to the Assembly, Elin served as an Aberystwyth town Councillor and was the town's youngest ever Mayor in 1997-98.

2019 marked a memorable twelve months for the National Assembly for Wales.

As our national legislature, the Senedd, entered its 21st year, a programme of events was rolled out to reflect on two decades of Welsh devolution with a pioneering Citizens' Assembly, a festival of politics - GWLAD ('country' in Welsh), and the passing of legislation introducing votes at age 16 and changing the institution's name to *Senedd Cymru* or Welsh Parliament.

The *Senedd and Elections Act* which introduced these changes was significant in many senses.

Firstly, the new law is the biggest change to the electoral franchise in Wales since the voting age was reduced from age 21 to 18 in 1969.

Secondly, unlike most legislation considered by the Senedd, it was not introduced by the Welsh Government but rather by me as the *Llywydd* (Presiding Officer) on behalf of the Assembly Commission.

Thanks to the *2017 Wales Act*, the constitutional reforms proposed in the Bill became part of the Senedd's legislative competence in that year.

In the same year, I tasked an Expert Panel under the

masterful leadership of Professor Laura McAllister of Cardiff University to advise and report to the Assembly Commission on matters relating to electoral reform. These included the number of Members that the Assembly needs, the most suitable electoral system, and the minimum voting age for Assembly elections.

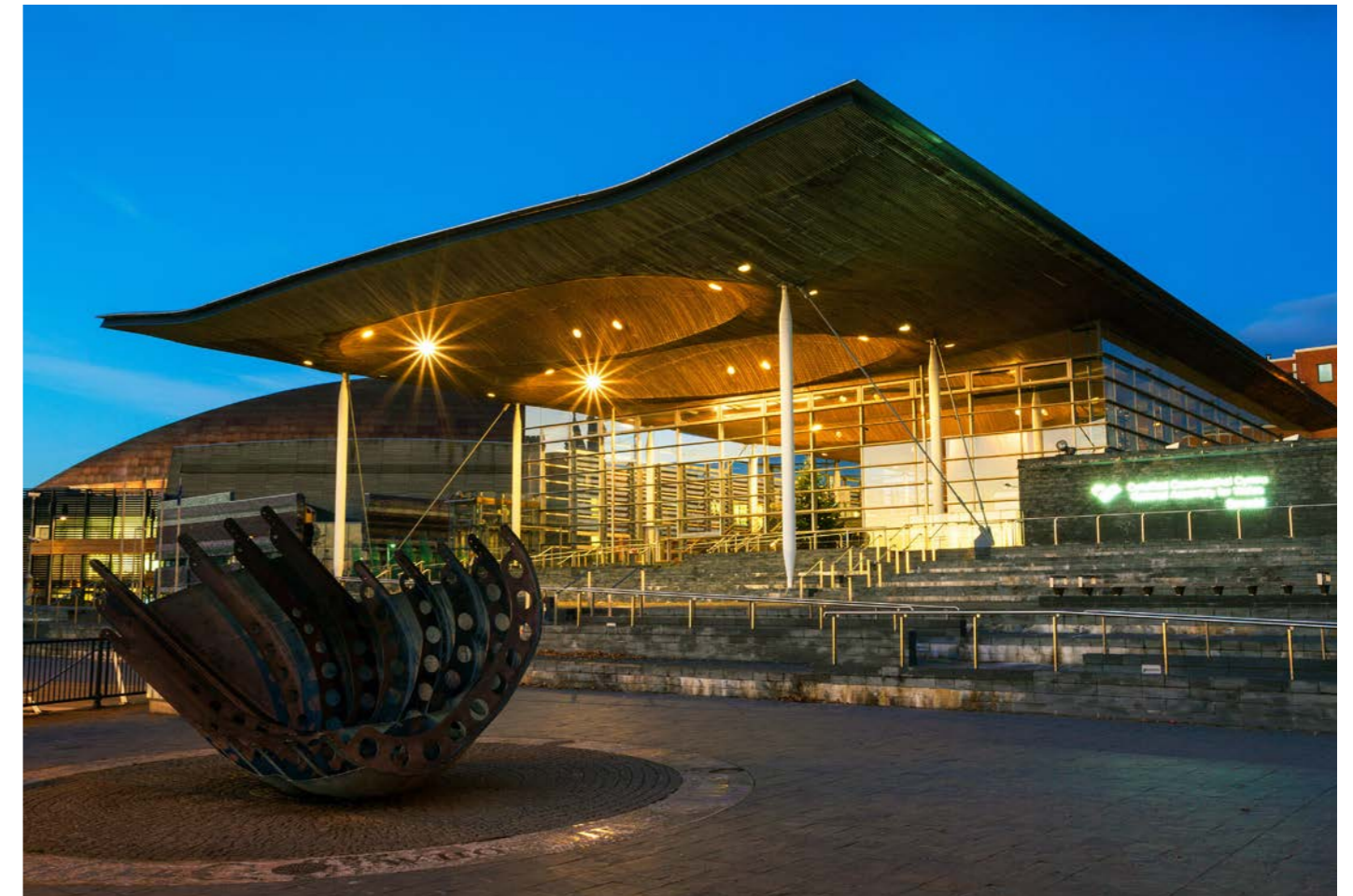
The Panel reported its findings in December 2017, recommending lowering the voting age to 16 thus providing the impetus for pressing ahead with the Senedd and Elections Bill. A consultation carried out by the Expert Panel showed that 59% of respondents supported extending the franchise to 16- and 17-year olds.

This important change will see around 70,000 young people in Wales join their counterparts in Scotland, Malta, Austria and elsewhere in being able to vote at 16 years old.

The first opportunity to do so in Wales will be the Senedd Elections in May 2021.

Of course, such a step-change will not realise its full potential in giving young people in Wales a voice in their democratic process without an accompanying programme of engagement.

“The Senedd itself has already played its part in bringing democracy closer to Wales’s younger generation. The Welsh Youth Parliament – the first of its kind in the world – is made up of 60 young people aged 11-18 from all parts of Wales, some representing minority and marginalised groups such as young carers and members of the BME community.”



Above: The Senedd, situated in Cardiff Bay, Wales was opened in 2006 and sits alongside the historic Pierhead building - part of the larger Assembly estate - which also includes a visitor information centre. The building has three floors, houses the Siambr (Debating Chamber), as well as many other rooms supporting the legislative and democratic processes in Wales. Transparent at the public level, the debates take place below within the slate plinth. The Senedd was designed to be as open and accessible as possible.

That is why the Assembly Commission and Welsh Government are working closely together to create an education and awareness raising campaign to encourage 16- and 17-year olds to vote. The campaign includes a wide range of engagement tools such as advertising, written material, and face to face promotion in schools and other institutions.

The *Senedd* itself has already played its part in bringing democracy closer to Wales's younger generation. The Welsh Youth Parliament – the first of its kind in the world – is made up of 60 young people aged 11-18 from all parts of Wales, some representing minority and marginalised groups such as young carers and members of the BME community.

The autonomy granted to the Members of the Welsh Youth Parliament has seen them

decide on their own areas of focus which include Littering and Plastic Waste, Life Skills in the Curriculum, and Emotional and Mental Health Support. The Youth Parliament is testament to the belief that given the opportunity, young people will play an active role in their democracy and pursue issues which are close to their hearts with agency and eloquence.

I am hopeful that extending the franchise in Wales will inspire a generation to demand a louder voice in the democratic processes that will influence their futures more than anyone's.

Another major aspect of the Senedd and Elections Bill was the proposal to rename the Assembly as *Senedd Cymru* or Welsh Parliament. As someone who has served in the Senedd since its creation, I have witnessed the substantial changes brought about as Wales

evolved as a distinct political entity.

The home of Welsh democracy is a very different place to where it was at the birth of devolution in 1999. During the legislative journey of the Senedd and Elections Bill, there was a broad consensus that the name 'National Assembly for Wales' should change, in order to reflect the Assembly's new constitutional status as a Legislature with full law-making and partial tax-raising powers. Before 2011, the Assembly had only partial law-making powers, and before 2006 it

existed as a corporate body, with the Executive and Legislature operating as one.

The appetite for a name change was also reflected in responses to a consultation held by the Assembly between December 2016 and March 2017 with 61% of respondents agreeing or strongly agreeing that the Assembly should change its name.

The Bill – now an Act of course – renames the National Assembly for Wales as '*Senedd Cymru*' or 'Welsh Parliament'. Assembly Members will be known as '*Aelodau o'r Senedd*' (AS) or



'Members of the Senedd' (MS). The name change will take legal effect in May 2020 to ensure that the public are familiar with the new name in advance of the next Assembly election in 2021.

Opinions varied on what the new name of the Assembly should be, and the Bill was markedly different upon introduction in that the proposed name was 'Senedd' with 'Welsh Parliament' as a descriptor. However, arguments were put forward that a territorial connection should be reflected in the name in both English and Welsh, and so the legislation evolved to state that 'Senedd Cymru' or 'Welsh Parliament' would be the official name.

Nevertheless, the law will still require the name 'Senedd' to be used in various titles, such as Members of the Senedd, Clerk of the Senedd, the Senedd Commission, the Senedd Commissioner for Standards and the Independent Remuneration Board of the Senedd.

This is an important step in normalising the use of the Welsh language in public life, and I have been encouraged to see prominent media figures and news outlets already using 'Senedd' in their broadcasts and publications.

“Despite the name and franchise changes being the most talked-about aspects of the Senedd and Elections Act, they are not exhaustive in reflecting its entire scope which also includes other interesting and important reforms.”



The Senedd's Siambr (Debating Chamber)

Despite the name and franchise changes being the most talked-about aspects of the *Senedd and Elections Act*, they are not exhaustive in reflecting its entire scope which also includes other interesting and important reforms.

As I have previously stated, the Bill evolved considerably as it made its passage through the Assembly. Amendments introduced by Jeremy Miles, AM, the Counsel General for the Welsh Government, extended the franchise further to include qualifying foreign citizens.

The Act defines a qualifying foreign citizen as someone who is not an Irish, Commonwealth or EU citizen (on the basis that such persons are already enfranchised) and who is a person who either does not need the permission of the immigration authorities to enter and remain in the United Kingdom (commonly referred to as "leave to enter or remain") or who does need such permission and it has been granted.

The Act also changes the rules on who can stand for election to the Assembly. Since the Assembly was established

in 1999 certain persons have been disqualified from being an Assembly Member, on the basis of their jobs. Historically, people have been disqualified from being Assembly Members at the point that they would be nominated as a candidate. This meant that people had to resign from jobs in order to be nominated as a candidate.

The Act creates two points at which different disqualifications will take effect. Some disqualifying offices (for example, the position of the Auditor-General for Wales) still have effect at the point a person would be nominated as a candidate. These are offices where there is a conflict of interest with even being a candidate for election.

However, other disqualifying offices only have effect at the point that a Member returned in an Assembly election takes the oath or makes the affirmation of allegiance. For example, Members of the Scottish Parliament, Northern Ireland Assembly and European Parliament would be allowed to stand for election to the Assembly. However, they would have to resign from the other

Legislature before they could take the oath, or make the affirmation of allegiance.

The Act also disqualifies Members of the House of Lords from being Members of the *Senedd*. From 2021, any Members of the House of Lords who are elected to the Assembly will now be required to apply for leave for absence from the House of Lords before they are allowed to serve in the *Senedd*.

Members of Legislatures from outside the UK are disqualified from standing for election.

The Bill also makes the Electoral Commission accountable to the Assembly for the work that it does in relation to devolved Welsh elections and referendums; extends the deadline for the first meeting of the Assembly after an election; and clarifies the Assembly Commission's powers to charge for goods and services.

Co-operation with the Welsh Government was key in delivering a piece of legislation of constitutional significance and I am grateful for all constructive dialogue and deliberations. The Bill was passed on 27 November 2019, securing the required

supermajority of Members in favour. Royal Assent was granted in mid-January making the Bill officially an Act.

However, this is not the end of road for electoral reform in the Senedd, of course. My initial hope was that there would also be a second Assembly Commission Bill to make provision for increasing the size of the Assembly and make consequential reforms to the electoral system, guided by the remaining recommendations of the Expert Panel.

The political consensus required to press ahead with such a Bill is yet to emerge, but I am confident that the new Senedd Committee established last September to examine the Expert Panel's recommendations in more detail will provide momentum for the public debate surrounding the future of the Senedd whilst helping inform decision-makers.

I hope others, like me, are

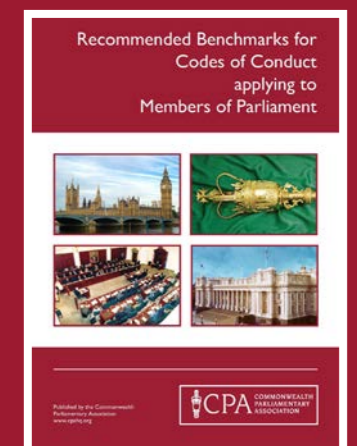
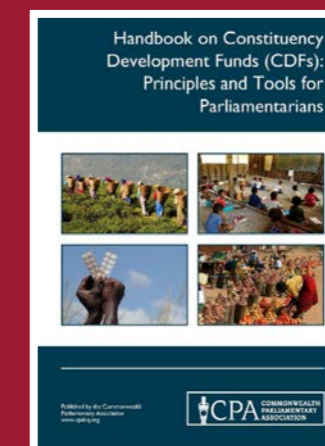
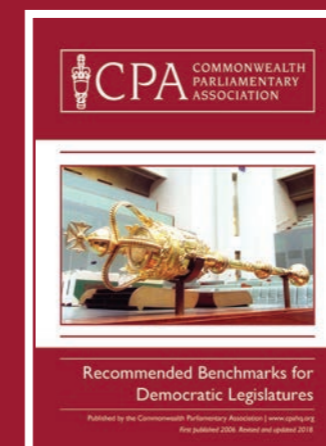


Image courtesy of the Welsh Assembly.

looking forward to following this debate and to hearing new and innovative ideas – such as those on display at the *Senedd* in 2019 – that will help create a more inclusive, accessible and effective Parliament for Wales.

Above: The Llywydd (Presiding Officer) of the Senedd, Elin Jones, AM together with the First Minister of Wales, Mark Drakeford, AM and the Clerk of the Senedd, Manon Antoniazzi following Royal Assent of the Senedd and Elections Act.

The Commonwealth Parliamentary Association (CPA) produces a number of guides and toolkits for Commonwealth Parliamentarians and Parliamentary staff including the *CPA Recommended Benchmarks for Democratic Legislatures*; the *Recommended Benchmarks for Codes of Conduct for Members of Parliament* and the *Handbook on Constituency Development Funds (CDFs): Principles and Tools for Parliamentarians*.



Please contact hq.sec@cpahq.org to request a copy or visit www.cpahq.org/cpahq/resources to download an e-version.



HOW PARLIAMENTARIANS CAN ENGAGE THE PUBLIC THROUGH PETITION SYSTEM REFORMS

Many Commonwealth Parliaments around the world are introducing reforms designed to re-engage with their communities and one key reform is the modernisation of parliamentary petition systems.



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Australia, as with many developed nations, is facing a widespread loss of public confidence and trust in its political institutions. With the 2019 Australian Election Study reporting ongoing falls in public satisfaction with democracy and trust in government, it is clear that, as stated in a recent journal article, “citizens are judging their politics not through the lens of complacency but more through the lens of righteous indignation.”¹

These attitudes have profoundly negative consequences for the democratic system – without an engaged and active civic culture, our future challenges will be much harder to overcome.

Many Parliaments around the world are introducing reforms designed to re-engage with their communities. One key reform is the modernisation of parliamentary petition systems. A number of Parliaments – including the Parliament of New South Wales – are updating their petition systems to give petitioners meaningful opportunities to present their concerns to their elected representatives.

However, we cannot simply modernise petition systems and expect the public to regain confidence in political institutions.

Members of Parliament play an essential role in promoting these revamped systems and persuading their communities that their activism can bring meaningful change. While not all Parliamentarians have the capacity to facilitate the petition process, Members who wish to be involved must appreciate that the skills and support they can offer petitioners – time, effort, resources, experience – can play as important a role as the petition system itself.

My 2018 journal article, *Parliamentarians’ Actions within Petition Systems: Their Impact on Public Perceptions of Fairness*, outlined the positive actions taken by New South Wales Legislative Assembly Members when they worked with petitioners. While many of these actions may be considered ‘common sense’, in this time of declining political trust, these behaviours may facilitate re-engaging the community with politicians and political institutions.

It is important that petitioners feel supported by Parliamentarians who advocate their causes. Members demonstrated this in a variety of ways, including public recognition during parliamentary debates,

“Many Parliaments around the world are introducing reforms designed to re-engage with their communities. One key reform is the modernisation of parliamentary petition systems. A number of Parliaments – including the Parliament of New South Wales – are updating their petition systems to give petitioners meaningful opportunities to present their concerns to their elected representatives.”

References: ¹ Gerry Stoker, Jinying Li, Max Halupka, Mark Evans, “Complacent young citizens or cross-generational solidarity? An analysis of Australian attitudes to democratic politics”, *Australian Journal of Political Science* 52, no. 2 (2017): 218-235.



Above: The Parliament of New South Wales in Sydney, Australia.

meeting constituents to discuss petition issues, and raising community and media awareness of petition issues.

To newcomers, the petition process may seem bewildering. To minimise confusion and

frustration, Members of the New South Wales Legislative Assembly helped guide petitioners to submit their petitions. Importantly, Members attempted to manage petitioners’ expectations about what their petitions could – or could not – accomplish. While this may not prevent disappointment should a petition be unsuccessful, it may persuade petitioners that Parliamentarians are willing and

able to provide assistance.

Trust in political institutions may also be gained through Member involvement in the petitions systems. A number of New South Wales Members took on petition causes as their own, attending public meetings or rallies to advocate for the issue, while others met directly with constituents to discuss matters. Although not required under the sessional orders, New South

Wales Government Ministers and Parliamentary Secretaries have attended petition debates to respond to petitioners’ concerns. While Ministers did not always change their policy positions, they nevertheless held themselves publicly accountable for their decisions, outlining the reasoning behind a policy and acknowledging public concerns.

These positive actions are supported by **Hon. John Ajaka, MLC, President of the New South Wales Legislative Council and CPA Vice-Chairperson:**

“Many Australians are disillusioned with the political process, and the challenge for us as Presiding Officers is how to respond. Although Parliaments are in a unique position to respond to this disengagement, institutional reforms are only part of the picture. Parliamentarians must also take a lead in supporting community members who wish to be involved in the political process, whether it be submitting a petition, requesting help or simply expressing their views on an important issue.

There is much work to be done to rebuild public confidence and trust in political institutions. Fortunately, research suggests that Australians still believe in liberal democracy, with many waiting on ‘standby’ to re-engage with politics. Modernising political systems is an important means of re-engaging, yet the community also wants to see positive change from politicians as well. The challenge for politicians is to demonstrate through their behaviours that this change is occurring.”





PROMOTING GLOBAL EQUALITY IN THE COMMONWEALTH

A group of Parliamentarians are seeking to promote global equality for LGBT+ citizens.



Rt Hon. Nick Herbert, CBE was a Member of the UK Parliament between 2005-2019 and Chair of the UK All-Party Parliamentary Group on Global LGBT+ Rights between 2015-2019. He is the Chair of the Global Equality Caucus as well as the Countryside Alliance, The Project for Modern Democracy and the Global TB Caucus. As a Parliamentarian, he served as Shadow Minister for Police Reform, Shadow Secretary of State for Justice and Shadow Secretary of State for Environment, Food and Rural Affairs before becoming Minister for Policing and Criminal Justice.

The Commonwealth Charter unites our community of nations under the shared values of peace, democracy, human rights, tolerance, respect and freedom of expression. No matter what our differences are, it is these values that drive our multilateral work towards securing safer, freer, and more prosperous futures for all Commonwealth citizens.

These values matter as much to LGBT+ citizens as they do to everyone else, and it is regrettable that in 2020 there are still 34 Commonwealth member states that criminalise same-sex intimacy. It is only with the work of dedicated and impassioned change-makers, both in government and in civil society, that the necessary reforms will be achieved.

We have seen encouraging steps forward. Activists and civil society groups have successfully challenged repressive laws in Belize, India, Botswana, and Trinidad and Tobago, and litigators have brought forward court cases in numerous other countries.

However, it is not just court judgements that are changing the landscape of equality in the Commonwealth. In the past decade alone, governments and legislators have introduced various laws to recognise and protect their LGBT+ citizens. Lawmakers have decriminalised homosexuality in Fiji, Mozambique, Nauru, Lesotho and the Seychelles. Mozambique and the Seychelles have also passed additional protections against employment discrimination, and Fiji's new Constitution has banned all discrimination on the basis of sexual orientation and

gender identity. A Civil Unions Bill was passed by the Parliament in Cyprus, and same-sex marriage has been legalised in the United Kingdom, Australia, New Zealand and Malta. Malta has also outlawed damaging conversion therapy, introduced protections for intersex people, made it easier for transgender people to self-identify, and improved adoption and IVF rights for same-sex couples – all in the past five years.

The pace of this change is even more remarkable when we consider that LGBT+ rights in some corners of the world have been going backwards, regardless of the legality of homosexuality. State-sponsored violence has seen gay men in Chechnya tortured and imprisoned in detention camps, the police in Turkey brutally suppressing Pride events, and police raids and crackdowns against the LGBT+ community continue to persist in Indonesia. 12 countries still include the death penalty as a maximum sentence for same-sex intimacy, and it is shameful that one of these countries, Brunei, is a member state of the Commonwealth. It was only after effective lobbying from civil society groups and Commonwealth High Commissioners last year that the Sultan of Brunei decided to extend a moratorium on enforcing the death penalty as a punishment. There is cause for concern about the treatment of LGBT+ citizens in a number of other Commonwealth countries, too.

It is vitally important that politicians are seen to be taking a stand against actions that threaten the rights and

dignity of LGBT+ people, especially in instances where violence and discrimination have been sanctioned by the state. Parliamentarians have a key role to play in this respect. Legislators are uniquely placed to hold governments to account, provide a voice to the concerns of the people they represent, influence the national debate, and enact the laws that defend and protect LGBT+ equality. Parliamentarians also approve government budgets and vote on the funding for projects that can make a real difference to LGBT+ people in communities. For example, the UK Foreign & Commonwealth Office funds several civil society organisations in their work to reform equality laws in other nations, and the Department for International Development currently funds research projects through UK Aid Connect to support LGBT+ inclusion in the development goals of numerous countries. This

“Legislators are uniquely placed to hold governments to account, provide a voice to the concerns of the people they represent, influence the national debate, and enact the laws that defend and protect LGBT+ equality.”

work with civil society can make all the difference, as it is too often the case that diligent activists lack the resources they need to push for reform.

Linking politicians with experts in civil society is an important part of affecting change, as it is the grassroots organisations and community leaders who have a first-hand knowledge of the issues that LGBT+ people experience. This is something we have done in the UK Parliament, where in 2015 the All-Party Parliamentary Group on Global LGBT+ Rights, which I co-chaired until last year, was set up to provide a forum for civil society groups to inform the work of Parliamentarians supportive of LGBT+ equality. The APPG has served as an effective unifying voice for Parliamentarians wishing to take a stand on behalf of LGBT+ people globally, and on multiple occasions it has secured debating time in Parliament on key equality issues. The group has also lobbied on matters of grave concern, for instance pressing the Commonwealth Secretary-General for a diplomatic response to the developing situation in Brunei last year.

Working in this and other All-Party Parliamentary Groups (APPGs) made me realise the opportunity to mobilise Parliamentarians at a global level. While politicians in the UK have been generally receptive to LGBT+ equality, many elected officials campaigning on these issues in other countries are often lone voices with no forum to share knowledge and resource their efforts. That's why last year I and other Members of Parliaments from around the world founded the Global Equality Caucus, the first international network of Parliamentarians and elected representatives dedicated to tackling LGBT+ discrimination, regardless of sexual orientation or gender identity. We work in partnership with civil society

organisations, multinational companies, and international organisations to support equality campaigns and to provide a co-ordinated political voice where previously there was none. We also link up networks of politicians and civil society actors who wish to work on national campaigns or across borders, and so far our membership has grown to over 100 members across 30 countries and 6 continents.

Launching at the United Nations Headquarters during World Pride, founding members of the Global Equality Caucus signed the New York Declaration to affirm our commitment to ending violence and discrimination against LGBT+ people by holding governments to account and pushing for legislative change. Since then, the Caucus has also launched a successful Asia-Pacific chapter which has facilitated dialogue between elected representatives from Hong Kong, Taiwan, Japan, the Philippines and New Zealand on LGBT+ priorities in the region, including the sharing of political knowledge and experiences of marriage equality campaigns. The Caucus is also helping to establish a national LGBT+ network in Canada, modelled after the UK APPG on Global LGBT+ Rights and the United States Congressional LGBT Equality Caucus, and is co-ordinating with the UK Government to deliver an international LGBT+ rights conference in May 2020. This major event, which I will chair, will link Parliamentarians with civil society networks and Government Ministers from across the world.

The LGBT+ rights conference this Spring is a fantastic opportunity to set a meaningful agenda for LGBT+ equality work this decade, and will help to feed in to a manifesto for action ahead of the next Commonwealth Heads of Government Meeting, which



Above: Parliamentarians at the launch of the Global Equality Caucus to tackle LGBT+ discrimination in New York in June 2019.

is due to be held in Rwanda the following month. We thankfully now have a precedent for LGBT+ rights to feature in discussions at CHOGM, after the UK's then-Prime Minister, Rt Hon. Theresa May, MP expressed her “deep regret” for Britain's historical legacy of discriminatory laws across the Commonwealth and urged other nations to overhaul their anti-LGBT+ legislation. It will be a missed opportunity if the leaders at CHOGM 2020 fail to reflect on what progress has been made since the previous meeting and on what more needs to be done to ensure the human rights of LGBT+ people are not ignored with respect to the values of the Commonwealth Charter.

Of course, the host country has a big say in the shape of the CHOGM agenda, so there is a question of whether LGBT+ equality will feature at all at the upcoming summit. Life can be incredibly difficult for LGBT+ people in Central Africa, and Rwanda does not have any legal protections for LGBT+ citizens. Yet there are reasons to be optimistic. Same-sex intimacy has never been a criminal offence in the country, a powerful distinction compared to Rwanda's Commonwealth neighbours,

Uganda and Tanzania. Rwanda was also one of the only African nations to sign the UN joint statement condemning violence against LGBT+ people, and a number of brave LGBT+ individuals are increasingly visible in Rwandan society, such as the popular gospel singer Albert Nabonibo who publicly came out last year.

There is an expectation among activists involved with the Commonwealth Equality Network that language on LGBT+ rights will feature at CHOGM 2020, if not at the main summit then at fringe events and more informal meetings. It will be a measure of how far we have come, and how far we have yet to go, whether politicians at the summit are prepared to engage with the language of representatives from civil society. We need progressive and courageous politicians to lead if we are to see positive and lasting change for LGBT+ people in the Commonwealth over the coming years.

The Global Equality Caucus is an international network of Parliamentarians and elected representatives aiming to tackle discrimination against LGBT+ people. Visit <https://equalitycaucus.org/>.



THE NEED TO ERADICATE INEQUALITY IN SOUTH AFRICA: A VIEW FROM THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION

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South Africa remains one of the most unequal countries globally, measured both in terms of income and wealth. According to Credit Suisse Global Wealth Report 2018, South Africa has high levels of inequality when it comes to the distribution of wealth with the country's top 10% of wealth holders controlling 68% of total wealth.¹ Moreover, the disproportional distribution of wealth continues to manifest along racial, gender, disability, geographical and other lines. For instance, senior employment opportunities are mostly accessed by white men, most of whom are not living with any disabilities. Likewise, ownership and control of the economy continues to be dominated by white men despite legislation and policies aimed at catalyzing Black Economic Empowerment.

The necessity to speedily eradicate inequality is also made urgent by the existence of poverty. Although poverty has decreased since 2009, the percentage of the population living below the upper bound poverty line of R992 per person per month increased from 53.2% in 2011 to 55.5% in 2015.² According to Statistics South Africa, those most affected by poverty are generally Black African females; children younger than 17 years; those living in rural areas, the Eastern Cape and Limpopo; and those without education. For example, approximately 64% of the Black African population and 40% of the Coloured population group are poor, contrasted to a mere 6% of the Indian/Asian population group and just 1% of the white population group.³

Furthermore, ownership of assets such as land, which are inextricably linked to wealth, is divided along racial and gender

lines amongst others. According to the 2017 Land Audit Report, 90% of the country's land is owned by individuals, companies, and trusts. From this number, individuals own 39% of the total land, trusts own 31% followed by companies which own 25%, Community Based Organisations (CBOs) own 4%, and co-owners constitute 1%. According to the report, 'the same individuals own most of these companies, trusts and CBOs'.⁴

Furthermore, South African individuals own 92% of the total farms and agricultural holdings. From this number, white South Africans own 72% of such farms and agricultural holdings while Africans own a mere 4%. Of the overall farm and agricultural holdings land owned by individuals in the country, men own 71% while women own 13%.⁵

Whereas the South African Parliament adopted a resolution to pursue a policy of land expropriation without compensation, research conducted by civil society organisations and the South African Human Rights Commission demonstrate that various legislative and policy gaps in respect of land reform will remain. Expropriation without compensation – albeit an important tool with which to expedite land reform – therefore does not constitute the panacea to the grossly unequal distribution of land in South Africa.

The equitable redistribution of land is thus crucial for the achievement of substantive equality. Given ownership patterns of land that are skewed in terms of race, gender and class, equitable redistribution of land is necessary. The unavailability of both well-situated urban and rural land contributes to a lack of production of food and access to

housing, amongst others. There is accordingly a need to prioritise the needy, landless and most poor if the redistribution of land is likely to achieve the desired end of substantive equality. Redistribution of land does not only mean 'ownership' of such land as conceived of in Western jurisdictions, but must also include access to communal land, or other forms of secure tenure that do not necessarily constitute ownership.

At this rate, with the situation worsening instead of improving, more needs to be done urgently to facilitate economic inclusion. In addition to facilitating fair access to the labour and economic markets for all; amongst others, quality free and fair education needs to be made available to all, particularly the poor. Education is one of the most powerful tools at the government's disposal for the eradication of poverty and achievement of substantive equality.⁶ The unequal access to educational institutions and inequality experienced within education are closely linked to unequal access to the labour market. Some of the hindrances to education that are facing the majority of scholars include accommodation, tuition fees, language, study material and food. The adequate state funding of basic and higher education will go a long way to creating access to free quality education for the poor. At the basic or primary education level, the government has made significant strides in establishing 'no-fee' schools for the poor. However, inequality between schools where fees are paid and no-fee schools remains apparent. Importantly, South Africa does moreover not yet boast an inclusive education system, in that children with



disabilities attend separate special needs schools. Worryingly, as far as the South African Human Rights Commission is aware, currently no 'no-fee' special needs schools exist. This phenomenon is especially concerning in the light of the vicious cycle that exists between poverty and disability. Similarly, in higher education, the plight of students with disabilities is often overlooked, as is evinced by the failure to adopt universal design of educational goods and services at this level.

The South African Constitution allows for legislative and other measures to be designed by government for the protection or advancement of persons, or categories of persons, disadvantaged by unfair discrimination.⁷ The enactment and implementation of such laws and policies constitute powerful mechanisms through which government should aim to combat both vertical and horizontal inequality. For such laws to achieve the desired outcomes they need

to be flexible, accommodating short-, medium- and long- term needs, appropriately budgeted for, cater to the needs of the most vulnerable and poor, and be implemented in a constitutionally appropriate manner. Additionally, when such laws are being enacted there needs to be meaningful and sufficient consultation with those most affected by such laws. Crucially, special measures designed to advance vulnerable persons disadvantaged by unfair discrimination must be coordinated across various contexts, including the labour market, the economy more broadly, education, health, and land reform.

In addition, such measures must be supported by sound fiscal policy choices that prioritise the poor and marginalised. A delicate balance therefore needs to be struck in ensuring investment and economic growth, while simultaneously recognising that taxation and related fiscal policies ultimately constitute, in many respects, 'human rights policies'.⁸

Finally, South African society cannot be transformed along egalitarian lines without the contribution of the private sector. Whereas various actors, including the South African Human Rights Commission, has observed that the private sector has contributed insufficiently in transforming a racially unequal labour market, the same can be discerned in the context of the economy more broadly and in respect of land reform. Although the government bears the primary obligation to ensure the protection, promotion and fulfilment of the fundamental rights enshrined in the South African Bill of Rights,⁹ private actors also bear constitutional obligations in appropriate circumstances.¹⁰ All members of society must accordingly contribute to the transformation of South Africa in order to realise the constitutional vision of a society based on freedom, human dignity and equality.

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- ¹ <https://businesstech.co.za/news/wealth/278477/this-is-how-much-money-the-top-one-percenter-is-worth-in-south-africa/?fbclid=IwAR1o6owzKfWLzt1yi-OX6W-HNW42k5Shx5472sLv5qxOBq6Gchksl9YTA>
- ² South African Human Rights Commission *Equality Report 2017/18: Achieving substantive economic equality through rights-based radical socio-economic transformation in South Africa* (2018) 17.
- ³ Ibid.
- ⁴ Department of Rural Development and Land Reform *Land Audit Report Phase II: Private Land Ownership By Race, Gender And Nationality* (2017) 2.
- ⁵ Ibid 9.
- ⁶ Ibid 51.
- ⁷ Constitution of the Republic of South Africa, 1996. Section 9 (2)
- ⁸ UN Human Rights Council Report of the Special Rapporteur on extreme poverty and human rights, Philip Alston A/HRC/29/31 (2015) para 53.
- ⁹ Constitution of the Republic of South Africa, 1996. Section 7(2)
- ¹⁰ Ibid. Section 8(2)

Cross-party support for legislation defining Female Genital Mutilation in New Zealand

A Bill to clarify the law around Female Genital Mutilation (FGM) has been introduced to the Parliament of New Zealand by women MPs from Labour, National, the Green Party and New Zealand First, working together as members of the Commonwealth Women Parliamentarians New Zealand Group (CWP).

This is the first time that legislation has been introduced in the name of MPs from multiple parties in New Zealand and highlights the value of the cross-party work led by the CWP to collaborate on issues relevant to the empowerment of girls and women.

The Crimes (Definition of Female Genital Mutilation) Amendment Bill is intended to update the definition of FGM in the New Zealand Crimes Act, to align with standard World Health Organisation (WHO) classifications of types of FGM and international best practice recommendations. It signals that no form of FGM is acceptable, as it is an abuse of girls and women.

The Bill has been jointly sponsored by Jo Hayes MP (National), Priyanca Radhakrishnan MP (Labour), Jenny Marcroft MP (New Zealand First) and Golriz Ghahraman MP (Green Party).

Co-Chairs of the Commonwealth Women Parliamentarians New Zealand Group, Jo Hayes and Louisa Wall, have stressed that the draft legislation addresses a cultural practice, and is not based on religion. *"We are clear that violence against women and girls is entirely unacceptable and cannot be allowed to hide behind tradition. In New Zealand there are a range of communities impacted by FGM and we acknowledge the work*



of the FGM Education Programme who continue to engage with communities with the goal of elimination of FGM. They do this by leading, designing and delivering FGM awareness and education initiatives in their communities. FGM Educators in these communities are supportive of the need to update legislation to align with the WHO definition of FGM and have been advocating for this change for many years."

The Bill was open to submissions from interested groups and individuals and had its first reading on 4 December 2019 as part of the 16 Days of Activism Against Gender Violence, which follows the United Nations International Day for Elimination of Violence Against Women on 25 November.

Commonwealth Women Parliamentarians feature at a gender panel discussion at the World Economic Forum in Davos and link with international partners in Geneva

The Commonwealth Women Parliamentarians (CWP) network was represented at a gender panel discussion at the World Economic Forum in Davos, Switzerland by the CPA Headquarter Secretariat's James Pinnell who emphasised the importance of collaborations and partnerships in successfully championing gender equality and further referenced the vast reach that the CWP network has in facilitating this. The panel discussion on 'UN SDG5: gender equality and the empowerment of women and girls' was organised by the Julie Ann Wrigley Global Institute of Sustainability and featured distinguished panellists including the IPU Secretary-General, Martin Chungong; UN Women, Deputy Director, Anita Bhatia; and the Director of Corporate Responsibility at RELX, Dr Márcia Balisciano. The CWP invited research and other expertise that potential partners may be able to provide from the event partners and looks forward to future collaborations with like-minded organisations striving for the same goals.

Prior to the panel event, the Commonwealth Women Parliamentarians Chairperson, Hon. Shandana Gulzar Khan visited the Headquarters of the Inter-Parliamentary Union to meet with the IPU Secretary-General, Martin Chungong to discuss collaboration between the IPU and CWP on gender projects. While in Geneva, Switzerland, the CWP Chairperson also met with key figures in international gender rights including Amanda Ellis, Executive Director from the Julie Ann Wrigley Global Institute of Sustainability; Veronica Birga, Chief of the Women's Human Rights and Gender Section, Office of the United Nations High Commissioner for Human Rights; and Uma Mishra-Newbery, Executive Director, Women's March Global.



Commonwealth Women Parliamentarians from Pakistan visit UK Parliament for a study visit exploring women and gender in legislation

The Commonwealth Women Parliamentarians Chairperson, Hon. Shandana Gulzar Khan, MNA joined a delegation from the Women's Parliamentary Caucus (WPC) of Pakistan led by the WPC Secretary, Hon. Munaza Hassan, MNA to hear about women's role in legislation and parliamentary oversight on a study visit to the UK Parliament from 27 to 31 January 2020, organised by the CPA UK Branch. The delegation included eight Members of the National Assembly of Pakistan and five Members of the Provincial Assemblies of Sindh, Punjab, Balochistan, and Khyber Pakhtunkhwa.

The study visit exploring women and gender in legislation, scrutiny and oversight included presentations by leading UK Parliamentarians including Baroness Uddin on the structure of the UK Parliament and shared challenges and opportunities faced by women Parliamentarians; former Chair of the UK House of Commons Women and Equalities Committee, Rt Hon. Maria Miller, MP on the key role of the Committee in the scrutiny function of parliament; and Baroness Jenkin of Kennington, Co-Chair and Co-Founder of Women2Win, a campaign to elect more Conservative women to Parliament, on the importance of encouraging the next generation of women Parliamentarians coming through.

The delegation explored issues related to different levels of representation: the UK Parliament, the Greater London Assembly, a London Borough Council, and a London constituency. In addition to introducing delegates to the UK Parliament and Westminster committee system, the study visit also examined gender-sensitive scrutiny, legislation to improve gender equality, and diversity and inclusion.



The majority of speakers agreed with the delegates, many of whom held a seat reserved for women, that quotas or other forms of positive action are essential to improving women's representation at the necessary pace. Such measures cannot, however, address the perennial issue that fewer women than men stand as candidates.

The former Prime Minister of the United Kingdom, Rt Hon. Theresa May, MP joined a reception for the delegates from Pakistan and reflected on the importance of women's representation to effective parliamentary scrutiny.

The CPA UK Branch has a long-term partnership with the Pakistan Women's Parliamentary Caucus and since 2012 has undertaken a number of programmes aimed at enhancing the role and capabilities of women Parliamentarians in Pakistan.

Second CWP British Islands and Mediterranean Regional Steering Committee of 2019 held in Scotland

Commonwealth Women Parliamentarians from the CPA British Islands and Mediterranean Region met at the Scottish Parliament for a CWP Regional Steering Committee meeting to share good practice on gender sensitive Parliaments and to look at how to keep initiatives going forward across the Region. The CWP regional meeting saw the handing over of the CWP BIM Regional Chair from outgoing Chair, Roberta Blackman-Woods (UK) to Acting Chair, Margaret Mitchell, MSP (Scotland). New CWP BIM Acting Regional Chair, Margaret Mitchell, MSP said that there was "good discussion on reducing sexual harassment and what Parliaments should do to improve diversity amongst female candidates. The Scottish Parliament is pleased to have introduced initiatives to help diversity and inclusion. For example, promoting a zero-tolerance approach to sexual harassment and sexist behaviour and the Scottish Parliament recently launched its Period and Menopause Policy. We look forward to learning more about best practices of other legislatures through the CWP network."



3rd Commonwealth Women Parliamentarians (CWP) Australia Regional Conference in South Australia held on the theme of '125 years towards getting even'

From 8 to 9 October 2019, over 50 women Parliamentarians from all sides of politics and all state, territory and federal Legislatures in the CPA Australia Region attended the 3rd Commonwealth Women Parliamentarians (CWP) Australia Regional Conference, which was hosted by the Parliament of South Australia in Adelaide.

125 years ago, the Adult Suffrage Bill was passed in South Australia which gave South Australian women the right to vote in general elections and to stand for Parliament for the first time ever in Australia, one of the first places in the world to see this change in legislation.

The two-day CWP Regional Conference was held as part of the celebrations of 125 years of women's suffrage in South Australia and the Regional Conference programme included consideration of the gains that women have made toward parity of representation in Australia and the further work that needs to be done.

Currently the Australian Capital Territory Legislature and the Tasmanian Parliament have over 50% of women in their membership. At the CWP Regional Conference, delegates spent time discussing how the CWP Australia Region might encourage more women to stand for Parliament and to advocate for and support those who have already won their places in Legislatures around the country.

Former federal Senator, Minister and Australian Ambassador to Italy, Amanda Vanstone made an opening address to the Regional Conference and spoke of the importance of celebrating the women who have put themselves forward and stood for Parliament, and encouraging those who may do so in the future.

Similarities were noted with advances for women in politics compared against women in the male-dominated world of sports journalism. Sports writer, Angela Pippas, described a 'playing field of prejudice and discrimination' that she has observed for the past 20 years. She told the Regional Conference about the glacial pace of improvement and the results finally appearing.

Dr Pia Rowe, a Research Fellow from the 50/50 by 2030 Institute, reported on national attitudes to gender equality with statistics on how the Australian population views the roles of men and women. She said that 88% of Australians believe that gender equality is still a problem.

Hon. Vickie Chapman MP, Deputy Premier and Attorney-General of South Australia, addressed young South Australian women and delegates at a reception where the two winners of the 'Getting It Even' speech competition were announced. Luci Blackborough



and Rebecca Lightowler presented their winning speeches on the theme of how to encourage more women to stand for Parliament.

The second day of the CWP Regional Conference focused on personal safety for women Parliamentarians. Ginger Gorman, a journalist and cyber-hate specialist, explained the very real risks of internet trolls and gave some practical advice on how to counter their attacks.

Many Commonwealth Parliaments have recognised that unacceptable levels of bullying and harassment exist in parliamentary life and that there are often no formal mechanisms for Parliamentarians to address this. Barbara Kuriger, MP, a CWP Member from the New Zealand Parliament, reported to the plenary that the New Zealand Speaker had commissioned an independent report with recommendations this year in order to begin to bring about positive change.

Hon. Michelle O'Byrne, MP, Chair of the Australia Region CWP Steering Committee, has written to all Australian Presiding Officers and political party leaders asking them to outline how this issue is being addressed. Many Parliaments have responded and it is clear that a consistent approach to this problem is lacking. The CWP Australia Region Steering Committee continues to hold Parliaments to account for improving conditions for all Australian women Parliamentarians.

At the end of the CWP Regional Conference, Hon. Kezia Purick, MLA, Speaker of the Northern Territory Legislative Assembly, advised that the 4th CWP Australia Regional Conference will be held in Darwin in 2021.

CWP attend Asia-Pacific Parliamentary Forum (APPF28) in Australia

During the 28th Asia-Pacific Parliamentary Forum (APPF28) in Australia, a meeting of APPF Women Parliamentarians was convened at the forum for the first time. The meeting was chaired by Senator Sue Lines, Deputy President of the Australian Senate and the Commonwealth Women Parliamentarians (CWP) Branch Representative for the Australia Parliament. The meeting discussed three topics - promoting gender equality for sustainable development and shared prosperity realising the 2030 Agenda for Sustainable Development; improving access for women and girls to education, innovation and technology; and promoting gender equality and women's empowerment in decision-making at all levels. Delegates from Australia, Brunei Darussalam, Cambodia, Indonesia (including the first female Speaker of the Indonesian House of Representatives), Laos, Malaysia, Mexico, New Zealand, Russia and Vietnam elaborated on these themes.



Commonwealth Women Parliamentarians Chairperson builds partnership links for gender equality with international organisations based in Paris

The Commonwealth Women Parliamentarians (CWP) Chairperson, Hon. Shandana Gulzar Khan, MNA has been building new partnership links for collaboration on gender equality during a recent visit to organisations based in Paris, France.

The CWP Chairperson was speaking at the OECD Global Parliamentary Network at a session on internet safety for women organised by Women Political Leaders (WPL) and OECD. The CWP Chairperson shared her personal perspective and experiences on the importance of making the web a safer place for women Parliamentarians alongside two Members of the European Parliament, Maria Spyraiki, MEP (Greece) and Lina Galvez Muñoz, MEP (Spain) as well as Managing Director of WPL, Rick Zednik and Political Officer from Facebook, Elisa Borry.

The CWP Chairperson went on to meet with the UNESCO Director for Gender Equality, Ms S. Gülser Corat to discuss possibilities for future collaboration towards achieving gender equality and SDG5. UNESCO believes that all forms of discrimination based on gender are violations of human rights, as well as a significant barrier to the achievement of the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals.

The CWP Chairperson also visited the Assemblée Parlementaire de la Francophonie (APF) where she met with the Administrative Secretary-General, Mr Emmanuel Maury and representatives from the organisation to discuss proposals to combat harassment



against women and possible collaborative projects with the CWP. La Francophonie has placed special emphasis on the fight to end gender-based violence; women's participation in political and decision-making processes; advocating for gender equality; and inclusion of the gender equality issues as part of sustainable development.

The CWP Chairperson said: "Building new partnership links for the Commonwealth Women Parliamentarians network with international organisations is vital to our future development and strengthening our work in promoting gender equality and women's participation in political and decision-making processes."

Commonwealth Women Parliamentarians Chairperson promotes increased women's representation in the Provincial Assemblies of Pakistan

The Commonwealth Women Parliamentarians Chairperson, Hon. Shandana Gulzar Khan, MNA has launched the first of four workshops on the role, rights and duties of women Parliamentarians in the Provincial Assemblies and Women's Caucuses of Pakistan. The CWP Chairperson spoke about the work of the CWP and its role in supporting women Parliamentarians in national, subnational and territorial Parliaments across the Commonwealth.

Canadian Senator Salma Ataullahjan also spoke at the event and gave Members an insight into her role in the Canadian Parliament and her experiences as a woman of Pakistani Pashtun origin in politics.

The first workshop was attended by Ministers and women Members from the Provincial Assemblies of Pakistan - including Balochistan, Sindh, Khyber-Pakhtunkhwa and Punjab - and the workshops have been organised by the Westminster Foundation for Democracy as part of the Commonwealth Partnership for Democracy (CP4D).



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Declaration on the Rights of Indigenous Peoples Act

Bill 41, *Declaration on the Rights of Indigenous Peoples Act*, is designed to affirm the application of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) to provincial laws. The Bill also seeks to contribute to the implementation of UNDRIP and support the affirmation of, and develop relationships with, Indigenous governing bodies. To this end, it requires the government to prepare, implement, and report on an action plan to achieve the objectives of UNDRIP and provides for agreements to be entered into with Indigenous governing bodies. The Bill was developed in collaboration with the First Nations Leadership Council representing the British Columbia Assembly of First Nations, the First Nations Summit and the Union of British Columbia Indian Chiefs.

Prior to the introduction of the Bill on 24 October 2019 by **Hon. Scott Fraser**, Minister of Indigenous Relations and Reconciliation, the proceedings of the Legislative Assembly were opened by Elder Shirley Alphonse of the T'Sou-ke Nation offering a blessing, followed by a land acknowledgement by Elder Butch Dick of the Songhees Nation, and drumming by the Lekwungen Traditional Dancers.

Following the First Reading of the Bill, the Legislative Assembly suspended proceedings so that Grand Chief Ed John, Cheryl Casimer, a member of the First Nations Summit Political Executive, Regional Chief Terry Teegee, and Grand Chief Stewart Phillip could address the Assembly. The ceremony also included remarks by **Hon. John Horgan**, Premier; **Andrew Wilkinson, MLA**, Leader of the Official Opposition; and **Adam Olsen, MLA**, a Member of the Third Party and a member of the Tsartlip First Nation. Pursuant to a motion adopted by the Legislative Assembly, their comments were transcribed and included as an appendix to the *Official Report of Debates of the Legislative Assembly*.

During the Second Reading debate, Minister Fraser explained that Bill 41 sets UNDRIP as the framework for reconciliation in British Columbia, as called for by the Truth and Reconciliation Commission's Call to Action No. 43. He explained that this Bill would allow for Indigenous peoples to make decisions about their governing structures which could include governing bodies such

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as traditional cultural entities, multiple nations working together as a collective, hereditary governments or a combination of elected and hereditary governments. In addition to requiring the development of an action plan, the Bill would require annual reporting to monitor progress on the action plan, in collaboration and consultation with Indigenous peoples.

John Rustad, MLA and Official Opposition Critic on Forest, Lands, and Natural Resource Operations (and a former Minister of Aboriginal Relations and Reconciliation), highlighted the importance of supporting the advancement of reconciliation and sought information about how issues regarding land and overlapping territories would be addressed. He noted that the Bill could impact potential court cases and inquired about the structures and processes regarding decision-making agreements with Indigenous governing bodies. Acknowledging questions that he has received regarding the meaning of 'free, prior and informed consent' (a phrase used multiple times in UNDRIP), he asked about potential opportunities for public engagement on this issue.

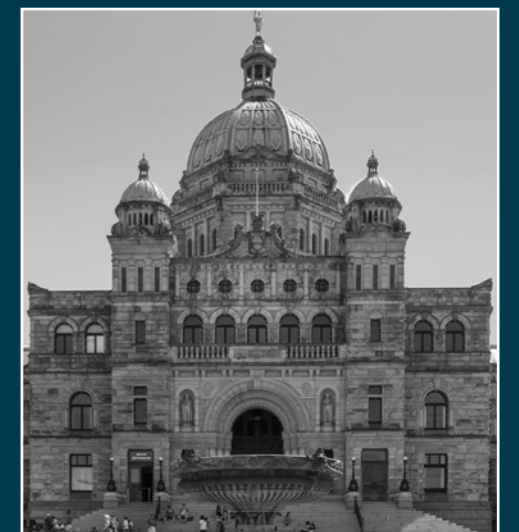
During his Second Reading comments, Mr Olsen described the importance of addressing the colonial legacy in social structures and institutions that is causing intergenerational harm to Indigenous peoples. He also explained that consent is not a veto but rather a commitment to working together and acting in good faith from the beginning of a project. He noted that the adoption of UNDRIP was a central feature of the Confidence and Supply Agreement signed by Members of the British Columbia Green Caucus and the British Columbia New Democrat Caucus following the 2017 provincial general election which resulted in a minority Parliament. The Agreement established the basis for which the British Columbia Green Caucus would provide support to a minority government led by the British Columbia New Democratic Party, leading to a government transition from the British Columbia Liberal Party to the British Columbia New Democratic Party.

Overall nine Government Members, six Members of the Official Opposition and one Member of the Third Party debated the Bill for nearly five hours during the Second Reading. Many Members emphasised that the introduction of this Bill is an historic

occasion and spoke about the evolution of recognising Indigenous rights in British Columbia. A common theme throughout the debate was the importance of section 35 of the *Constitution Act, 1982*, which recognised and affirmed existing Aboriginal rights in Canada. Members noted that much progress has been made in recent decades by Indigenous Peoples, especially regarding benefits agreements. Some Members focused on the move from transactional agreements to a more transformational approach based on relationship building as an important part of the Bill. Members also debated the practical implications and consequences of the Bill with inquiries about grazing rights, park management, and the impact on the forest industry and mining activity. Regarding the issue of consent, Members requested details about the consequences when a project involves multiple First Nations and not all of them can come to an agreement. The motion for the Second Reading of the Bill was adopted unanimously.

Much of the subsequent consideration of the Bill by the Committee of the Whole focused on specific articles of UNDRIP, which were included in a schedule of the Bill. The motions to report the Bill complete without amendment and for the Third Reading of the Bill were agreed to unanimously.

The *Declaration on the Rights of Indigenous Peoples Act* received Third Reading on 26 November 2019 and came into force by Royal Assent on 28 November 2019. This makes British Columbia the first jurisdiction in Canada to affirm the application of UNDRIP by statute.



CANADIAN GOVERNMENT SWORN IN FOLLOWING FALL ELECTIONS



On 20 November 2019, the re-elected Prime Minister of Canada, **Rt Hon. Justin Trudeau, MP** announced his cabinet. It is composed of 37 Members, a majority of whom were Members of Cabinet prior to dissolution. A few returning Ministers changed portfolios, such as **Hon. Chrystia Freeland, MP**, now Minister of Intergovernmental Affairs and Deputy Prime Minister; **Hon. Catherine McKenna, MP**, now Minister of Infrastructure and Communities; and **Hon. François-Philippe Champagne, MP**, now Minister of Foreign Affairs.

Cabinet also includes re-elected MPs who were not in Cabinet previously, such as **Hon. Dan Vandal, MP** as Minister of Northern Affairs; **Hon. Marco Mendicino, MP** as Minister of Immigration, Refugees and Citizenship; and **Hon. Mona Fortier, MP** as Minister of Middle Class Prosperity and Associate Minister of Finance. Two newly elected MPs were named to

Cabinet: **Hon. Anita Anand, MP** as Minister of Public Services and Procurement; and **Hon. Steven Guilbeault, MP** as Minister of Canadian Heritage.

Opening of Parliament

When the 43rd Parliament met for the first time on 5 December 2019, **Hon. Anthony Rota, MP** was elected by preferential ballot as the 37th Speaker of the House of Commons. In addition, the House of Commons selected **Bruce Stanton, MP** as Deputy Speaker and two Assistant Deputy Speakers: **Carol Hughes, MP** and **Alexandra Mendès, MP**.

On 5 December 2019, the **Governor-General of Canada, Her Excellency Rt Hon. Julie Payette** read the Speech from the Throne. Titled *'Moving Forward Together'*, it focused on five goals: fighting climate change, strengthening the middle class, walking the road of reconciliation with Canada's

Indigenous peoples, keeping Canadians safe and healthy, and positioning Canada for success in an uncertain world. Recognising that it was the will of the people that returned a minority Parliament, the Speech emphasised the need for increased collaboration as well as consideration about regions and their local needs.

Committees

While the 43rd Parliament is underway, as of 31 January 2020, only three House of Commons Standing Committees have been struck: Health, International Trade, Finance and Procedure and House Affairs. The latter is responsible for reporting to the House the lists of Members of all the other Committees and must do so before they can begin their work.

In addition, on 10 December 2019, the House of Commons adopted a motion creating the Special Committee on Canada-China Relations, tasked with examining all aspects of the Canada-China

relationship. The motion also states that the Committee has the power to order the Prime Minister, the Minister of Foreign Affairs, the Minister of Public Safety and the Canadian Ambassador to China to appear as witnesses. The Special Committee held its first meeting on 20 January 2020, at which time it elected **Hon. Geoff Regan, MP**, the former Speaker of the House of Commons, as Chair. The Vice-Chairs are **Chris Warkentin, MP** from the Conservative Party, **Stéphane Bergeron, MP** from the Bloc Québécois and **Jack Harris, MP** from the New Democratic Party.

Changes in Party Leadership

On 4 November 2019, **Elizabeth May, MP** announced that she would step down as leader of the Green Party of Canada, after holding this position for over 13 years. She remains parliamentary leader for the party. A leadership contest

has been announced for 2020. **Jo-Ann Roberts** has been named Interim Leader.

On 12 December 2019, **Hon. Andrew Scheer, MP** announced his upcoming resignation as leader of the Conservative Party of Canada. He remains in office until a new leader is chosen by the party membership. Former MP, **Hon. Lisa Raitt** was named co-chair of the Organising Committee responsible for the leadership race, which was officially launched on 13 January 2020. The election of a new leader will be held on 27 June 2020.

In order to be eligible, potential candidates must pay an entry fee of \$200,000, a compliance deposit of \$100,000 and signatures from 3,000 party members from 30 Electoral District Associations. As of 23 January, eight candidates had officially declared their intentions, including **Marilyn Gladu, MP** and former MP, **Hon. Peter Mackay**. Mr. Mackay was the leader of the Progressive Conservative Party of Canada until its merger with the Reform Party in 2003.

Changes in the Senate

On 31 October 2019, Conservative Senator **Hon. Larry Smith** announced that he would not seek re-election as Leader of the Opposition in the Senate. He was succeeded by **Hon. Don Plett** on 6 November 2019.

On 4 November 2019, 11 Senators announced the creation of a new group: the Canadian Senators Group. It is composed of Senators who were previously affiliated with the Independent Senators Group, the Conservative Party and the Liberal Party.

On 13 November 2019, **Hon. Diane Bellemare** announced that she was joining the Independent Senators Group

after leaving her position as legislative deputy to the Government Representative in the Senate, **Hon. Peter Harder**.

On 14 November 2019, the Independent Liberal Senate caucus announced that it was disbanding, and that the entirety of its membership were joining a new group: The Progressive Senate Group. This new group in turn disbanded on 17 November after **Hon. Percy Downe** left to join the Canadian Senators Group. The remaining Members decided to sit as non-affiliated.

On 18 November 2019, **Hon. Jean-Guy Dagenais** announced that he was leaving the Conservative Party to join the Canadian Senators Group.

On 29 November 2019, **Hon. Peter Harder** stepped down from his role as Government Representative in the Senate and became non-affiliated. The same day, **Hon. Grant Mitchell** announced that he would step down from his

role as Government Liaison but would remain in his role until a new Government Representative in the Senate is named by the Prime Minister. On 24 January 2020, the Prime Minister announced that **Hon. Marc Gold** was appointed Government Representative in the Senate.

On 20 January 2020, **Hon. Nicole Eaton** retired, having served since 2009. On 24 January 2020, **Hon. Joseph Day** retired, having served since 2001.

As of 31 January 2020, the standings in the Senate were: Independent Senators Group 50, Conservative Party 23, Canadian Senators Group 13, non-affiliated 12 and vacant 7.

Decision by the Québec Superior Court

In September 2019, the Superior Court of Québec ruled that the *"reasonable foreseeability of natural death"* criterion in the federal Criminal Code regarding

medical assistance in dying is unconstitutional. While the ruling only applies for the province of Québec, the federal government has committed to modifying the law that applies across the country. It has until 11 March 2020 to comply. An online consultation has been launched to gather Canadians' opinions on the issue. In addition, a broader review of the medical assistance in dying legislation is planned for 2020.

Legislation

Following the ratification on 16 January 2020 by the United States Senate of the United States-Canada-Mexico-Agreement, an updated free trade agreement between the three countries, Canada remains the only country that has not completed its ratification process. On 29 January 2020, **Hon. Chrystia Freeland, MP** tabled legislation to that effect and which is up for debate in the House of Commons.





Emergency Response Fund Act 2019

The legislation uses uncommitted funds from the Education Investment Fund to establish the Emergency Response Fund (ERF) as a dedicated investment vehicle to provide an additional funding source for future emergency response and natural disaster recovery.

The Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management, **Hon. David Littleproud, MP**, stated that the EFR “is designed to support the delivery of projects and services and promote the adoption of technology directed towards achieving recovery from natural disasters. The type of assistance provided could include, but is not limited to, additional recovery grants and support to affected communities or industry sectors to help their recovery and to build their resilience to future natural disasters.”

The EFR will be provided with an initial credit of \$4 billion. The Minister explained that “the government intends to grow the fund to provide a new secure funding source to complement existing natural disaster recovery programs. In the event that a community is significantly or

catastrophically impacted by a natural disaster, the government will have access to a maximum of \$150 million per year to fund recovery measures. This funding is over and above the funding already made available by the Liberal-National government to assist communities across Australia recover from natural disasters, such as the Disaster Recovery Funding Arrangements, the Australian Government Disaster Recovery Payment and the Disaster Recovery Allowance.”

Mr Littleproud stated that “the fund will only be accessed when the government determines existing recovery programs are insufficient to meet the scale of the response required. Payments from the Emergency Response Fund will be available from 2019-20 and will be limited to \$150 million to protect the balance of the fund into the future. This limit will be reassessed within 10 years, to determine whether the fund could support a higher maximum annual disbursement.”

The Minister noted that “the government has been absolutely clear that the use of the dormant Education Investment Fund to deliver the Emergency Response Fund will have absolutely no impact on the funding provided by

the government for education infrastructure. The government is committed to a world-class higher education system and is investing a record \$17.7 billion in the university sector in 2019. This is projected to grow to more than \$19 billion by 2022. The government has recently made significant investments into education infrastructure projects including \$150 million to support the relocation and redevelopment of the University of Tasmania’s Launceston and Burnie campuses and a further \$30 million earmarked for the establishment of a new Central Queensland School of Mining and Manufacturing. The government has made its education investments without needing to draw from the Education Investment Fund. The last commitment was announced in 2013 and all commitments have been paid.”

Senator Murray Watt (Australian Labor Party) indicated that the Opposition would be supporting the legislation with amendments agreed with the government. Senator Watt stated that “to begin with I think it’s worth re-emphasising the importance of governments of all persuasions, at all levels of government, not

only taking action to deal with the consequences of natural disasters but also taking steps to minimise the impact of those disasters before they occur. Unfortunately, as a result of climate change, we do face the certainty of increased frequency and scale of natural disasters into the future. Already this year, we are seeing bushfires strike many parts of our country, including my home state of Queensland, in areas that have not traditionally experienced them. Of course, every summer that comes round we see floods, cyclones and bushfires right across the country. As I say, as a result of climate change, it is likely that these types of disasters will occur.”

Senator Watt noted that “Labor has had concerns for some time that the government has not adequately invested in disaster mitigation – that is, works to reduce the impact of disasters before they actually hit. In fact, in Queensland there’s been a debate going on for some time to build a flood levee in the city of Rockhampton, which has experienced, I think, three floods over the last seven or eight years.”

Senator Watt advised that “I’m happy to foreshadow that the opposition will be moving a number of amendments to the Bill which have been agreed with the government. Under the commitments that we have extracted from the government, the government will increase the funding available under its proposed Emergency Response Fund from \$150 million a year, which is what was in the original Bill, to \$200 million per year . . . The other commitment that Labor has extracted from the government is a commitment to a new \$50 million investment to upgrade TAFE facilities, to be matched by participating states and territories.”

Senator Mehreen Faruqi (Australian Greens) commented that “this Bill really does lay bare the Liberal-National government’s logic-free approach to the wicked problems of our time. With this Bill they are attempting to abolish Australia’s only – I repeat, only – TAFE and university infrastructure fund, to create an opaque Emergency Response Fund, without a cent for disaster resilience or any action on the climate crisis. What a mess!”

Senator Faruqi stated “of course we must fund disaster relief, but the Greens will not be party to the government’s long-running campaign to cut our universities and TAFE to the bone, while their climate inaction endangers all of us. In early spring we’ve seen bushfires rage across New South Wales and Queensland, destroying rainforest habitats and homes. As former Fire and Rescue NSW Commissioner

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Greg Mullins identified this year, what we are seeing is the effects of climate change putting more and more people and homes at risk. We cannot shy away from the fact that communities are hurting because the government isn’t acting on the climate emergency. People are hurting. Lives and homes are being tragically lost. Animals are suffering and dying in droughts and bushfires and the intense heat. I’m frightened by the thought of what this summer will bring.”

Treasury Laws Amendment (Prohibiting Energy Market Misconduct) Act 2019

The legislation amends the *Competition and Consumer Act 2010* to prohibit certain conduct in electricity retail, contract and wholesale markets, broadly relating to retail pricing, financial contract market liquidity and conduct in wholesale spot markets. In particular, the legislation enables the Treasurer, following the receipt of a prohibited conduct recommendation from the Australian Competition and Consumer Commission, to apply to the Federal Court (the court) for a divestiture order and for the court to make related orders that a corporation or another body corporate dispose of interests in securities or assets that are part of its electricity business.

The Treasurer, **Hon. Josh Frydenberg, MP**, stated that “the Australian energy market has not been serving consumers well. That’s why the Liberal-National government directed the Australian Consumer and Competition Commission (ACCC) to undertake a retail electricity pricing inquiry in March 2017. This review identified problems in the retail, wholesale and contract markets, calling the situation ‘unacceptable and unsustainable’ and noting that energy retailers ‘have played a major role in poor outcomes for consumers’.”

The Treasurer noted the ACCC’s three key findings that “in the retail market, retailers deliberately confuse customers with their discounting strategy, often using what the ACCC call ‘excessively’ high benchmarks and complex offer structures. In the wholesale market, a lack of competition has resulted in higher prices. In the contract market, a lack of liquidity can act as a barrier to entry, where the dominant position of ‘gentailers’ can make it harder for smaller retailers to get hedging contracts and therefore to compete. It is these problems that the government is seeking to address in order to strengthen competition in the market and put

downward pressure on electricity prices.”

The Treasurer advised that “this legislation sets out a graduated set of penalties that can apply in the event of misconduct. The ACCC will be able to issue a warning notice, accept an enforceable undertaking or seek a financial penalty of up to the greatest of \$10 million, three times the value of the total benefit attributable to the conduct, or 10% of the annual turnover of the corporation in the 12 months before the conduct occurred. For the most egregious conduct, the ACCC will be able to recommend that the Treasurer either issue a contracting order or pursue a divestiture order in the courts.”

Mr Frydenberg commented that “a contracting order will only be able to be made following a breach of either the contract liquidity or aggravated wholesale conduct prohibitions. A divestiture order will only be able to be made following an aggravated breach of the wholesale conduct prohibition.” He advised that both sanctions were of last resort.

Senator Jenny McAllister (Australian Labor Party) commented that “Labor was critical of the original Bill in the last Parliament. It risked doing harm and it seriously risked the privatisation of publicly owned electricity generators.

The government has dealt with some of our reservations by introducing into this Parliament a different Bill, which makes improvements, particularly in relation to privatisation. The passage of this Bill will not change the fact that, after 17 attempts, the coalition government still has no sensible overarching energy policy to drive investment, to reduce emissions or to cut power bills for struggling Australian households and businesses. This legislation has not been recommended by the consumer watchdog. Not only did the ACCC, after its lengthy examination of the retail electricity market, not recommend the legislation, but indeed it specifically recommended against a divestiture power, as did Professor Ian Harper in his landmark review of competition policy for the government a couple of years earlier.”

Senator McAllister noted that “after considerable debate about the impact of potential Ministerial overreach in the operation of the original Bill, it is pleasing to see that the government has curbed or pulled back the Ministerial power that would be able to be exercised under this legislation. Instead, a role for the ACCC has been put in place, as well as a very important role for the Federal Court. We

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take that as a significant improvement to the Bill, given that, since its original presentation, we have been complaining of overreach on the part of Ministers."

In relation to energy policy more generally, Senator McAllister stated that "I want to be clear that this Bill in no way substitutes for a proper, coherent national energy policy. We are in the throes of the deepest energy crisis since the mid-1970s. But, unlike that crisis, which was caused by an external shock, this crisis is the product of a profound public policy failure. Households and energy-using businesses are paying the price for this crisis. Power bills for households and businesses are going to go up and up, and it's quite clear that the market expects those bills to go up too. Wholesale prices are up across the National Electricity Market - on average, by 158% since the Liberal energy crisis really took a grip in 2015." Senator McAllister concluded that "we do support this Bill, but we will continue to hold the government to account for its completely hopeless management of energy policy."

Senator Sarah Hanson-Young (Australian Greens) commented that "right up-front, let me be very clear: the Australian Greens oppose this Bill because it won't lower electricity prices and, in addition to not doing that, it will make global warming worse, as this government will use the powers in this Bill to keep coal-fired power stations operating for longer - and we know that the longer coal-fired power is produced, the harder and longer it's going to be for us to get global warming under control."

In relation to bushfires, Senator Hanson-Young stated "as I stand here tonight, I do so in the midst of what we know is a horrific scene unfolding across the country, with bushfires burning across Western Australia, New South Wales and Queensland, and now, just in the last few hours, there have been a number of very serious warnings in my home state of South Australia." Senator Hanson-Young

further commented that "these fires are supercharged by the climate crisis we are facing and are being fuelled by the record drought we are experiencing. Firstly, Prime Minister Scott Morrison must bear some responsibility for the situation we are confronted with today. He has not only continued to make the climate crisis worse with Bills such as this one before us tonight but also failed to bring down global warming pollution across the board. Secondly, the Prime Minister must take some responsibility for his refusal to heed the scientists and fire officers who have been warning that Australia is unprepared for extreme fires exacerbated by the climate emergency."

Senator Malcolm Roberts (Pauline Hanson's One Nation Party) commented that the Bill "should really be the government's 'we failed' Bill. It is proof of failed governance and it vindicates all that we've been saying about energy and climate for the last three years, yet the government touts it as a big stick to protect users. That is a lie. It is another Liberal-Nationals facade. Energy prices are ridiculous, and it's of the government's own making."

Senator Roberts stated that the "Liberal and National Party MPs know that climate change is crap and rubbish. It is really climate variability that is just going through cycles, yet this lie has been perpetuated. This afternoon we heard Senator McKenzie telling us that the Nats are committed to pushing this - committed to climate action. The sad thing is they are, and it's destroying us. Look at them hanging their heads in shame."

Senator Roberts concluded that "the Liberals say they're working on climate change, while they're trying to do as little as possible, yet still people pay the high prices. Industry pays the price. Families pay with unemployment. Farmers pay by going out of business. Labor senators say they're working on it, yet people smashed them for it five months ago."

The 2019-20 Australian bushfire season has been long and severe. Temperature records are being smashed and the country is in a prolonged drought. By February, the bushfires had caused the loss of 33 lives, burnt almost 19 million hectares, killed an estimated one billion animals and destroyed over 3,000 homes.

Australia's country fire services are staffed by volunteers. Many of the volunteers take leave from work and pay for their own travel to and from the fire locations. During the height of the bushfires in December 2019, the Prime Minister, **Hon. Scott Morrison, MP**, decided to take his family on holidays to Hawaii but not for long. Media focus and public disquiet questioned the Prime Minister's judgement on taking leave at this time. When the Prime Minister was on leave in Hawaii, two volunteer firefighters, Mr Andrew O'Dwyer and Mr Geoff Keaton were killed while they were fighting the Green Wattle Creek fire on Thursday 19 December 2019.

On 20 December 2019, the Prime Minister issued the following statement: "Over the course of the past week I have been taking leave with my family. Our leave was brought forward due to the need to cancel our scheduled leave in January because of our official government visit to India and Japan at the invitation of PMs Modi and Abe. I deeply regret any offence caused to any of the many Australians affected by the terrible bushfires by my taking leave with family at this time. I have been receiving regular updates on the bushfires disaster as well as the status of the search for and treatment of the victims of the White Island tragedy. The Commonwealth's responsibilities have been well managed by the Acting Prime Minister, Minister Littleproud and Minister Payne. As noted, given the most recent tragic events, I will be returning to Sydney as soon as can be arranged."

When the Prime Minister returned, he faced questions about the severity of the fires and whether Australia could be doing more to reduce greenhouse gas emissions. The Prime Minister on 22 December 2019 stated in relation to climate change that "there is no argument, in my view and the government's view, and any government in the country, about the links between broader issues of global climate change and weather events around the world but I'm sure people would equally acknowledge the direct connection to any single fire event is not a credible suggestion to make that link. We must take action on climate change and we are taking action on climate change. At the last election I said we would, I said we would meet and beat our Kyoto targets, I said we would meet our Paris commitments in a canter and we

will. We welcome the record investment in renewable energy technologies and at the same time we welcome the fact we are pursuing our climate policies while getting electricity prices down as the ACCC noted today with a \$65 reduction as a direct result of the policies we put in place to get power bills under control in this country. And we will do it without destroying the economy or job destroying reckless targets."

On 4 February, the first sitting day of 2020, the Senate and House of Representatives had condolence debates on the devastation and loss of life arising from the bushfires. The Prime Minister moved the following condolence motion which was seconded by the Leader of the Opposition, **Hon. Anthony Albanese, MP**:
That the House:

1. acknowledge the devastation across our nation occasioned by the bushfire season including the loss of 33 lives, the destruction of over 3,000 homes, the unimaginable loss of so much wildlife and the devastating impact on regional economies across Australia;
2. extend its deepest sympathies to families who have lost loved ones and to those who have suffered injuries or loss;
3. place on record its gratitude for the service of David Moresi, Geoffrey Keaton, Andrew O'Dwyer, Samuel McPaul, Bill Slade, Mat Kavanagh, Ian McBeth, Paul Hudson and Rick DeMorgan Jr, fire-fighters who lost their lives during the fires and extend

- its deepest condolences to their families;
4. recognise the contribution of thousands of volunteer and career fire-fighters and the dedication of emergency services personnel across Australia;
5. honour the contribution of 6,500 Australian Defence Force personnel, including 3,000 ADF reservists, and the work of Emergency Management Australia throughout the summer;
6. recognise the generosity of individuals, families, schools, churches and religious groups, service clubs and businesses from across Australia and elsewhere in the world during the evacuations and following the fires;
7. express its gratitude to Australia's friends, allies and neighbours who provided or offered support;
8. recognise the unceasing efforts and close cooperation between state and local governments, demonstrating the strength of our Federation;
9. commit itself to learning any lessons from this fire season; and
10. pledge the full support of the Australian Parliament to assist affected areas to recover and rebuild.

A similar motion was moved and debated in the Senate.

Auditor-General issues scathing report of Minister Bridget McKenzie

The Auditor-General has issued a scathing audit report on the role of the then Liberal Minister for Sport, **Senator Hon. Bridget McKenzie** in the selection and distribution of sport grants. The Community Sport Infrastructure Grant Program objectives are

to ensure more Australians have access to quality sporting facilities and encourage greater participation. Funding totalling \$100 million was awarded to 684 projects from December 2018 to April 2019 prior to the federal election held on 18 May 2019. When the Audit Report was released Senator McKenzie was the Deputy Leader of the National Party and the Minister for Agriculture.

The decision to undertake the audit followed a request from the Shadow Attorney-General, **Hon. Mark Dreyfus, MP**, following the presentation of a \$127,373 sports grant by the Liberal candidate for the electorate of Mayo, Ms Georgina Downer to the Yankalilla Bowling Club located in the seat of Mayo. It is generally assumed that the elected representative, in this case the independent Member for Mayo, **Ms Rebekha Sharkie, MP**, would present a tax payer funded cheque for this grant program or any other Commonwealth grant. On election day Ms Downer lost anyway.

The applications were assessed by Sports Australia largely in accordance with the published program guidelines. However, the Auditor-General advised that "in parallel, the Minister's Office had commenced its own assessment process to identify which applications should be awarded funding. The Minister's Office drew upon considerations other than those identified in the program guidelines, such as the location of projects, and also applied considerations that were inconsistent with the published guidelines. It was this assessment process that predominantly informed the Minister's funding decisions, rather than Sport Australia's process. This resulted in the



assessment advice to the Minister being inconsistent with the approved program guidelines.”

In relation to the legal status of the Minister’s involvement, the Auditor-General stated that “a significant shortcoming was that, while the program guidelines identified that the Minister for Sport would approve CSIG funding, there are no records evidencing that the Minister was advised of the legal basis on which the Minister could undertake an approval role, and it is not evident to the ANAO what the legal authority was.”

The Auditor-General concluded that “the award of funding reflected the approach documented by the Minister’s Office of focusing on ‘marginal’ electorates held by the Coalition as well as those electorates held by other parties or independent

members that were to be ‘targeted’ by the Coalition at the 2019 Election. Applications from projects located in those electorates were more successful in being awarded funding than if funding was allocated on the basis of merit assessed against the published program guidelines.”

In relation to bias, the Auditor-General stated that “there was evidence of distribution bias in the award of grant funding. Overall statistics indicate that the award of funding was consistent with the population of eligible applications received by state/territory, but was not consistent with the assessed merit of applications. The award of funding reflected the approach documented by the Minister’s Office of focusing on ‘marginal’ electorates held by the Coalition as well as those electorates held by

other parties or independent members that were to be ‘targeted’ by the Coalition at the 2019 Election. Applications from projects located in those electorates were more successful in being awarded funding than if funding was allocated on the basis of merit assessed against the published program guidelines.”

The release of the audit report sparked outrage and claims of blatant pork barrelling. Leader of Opposition Business in the House of Representatives, **Hon. Tony Burke, MP**, said “you can’t get a report like that and remain a Minister in the Commonwealth.”

Independent Member, **Ms Zali Steggal, MP**, joined the chorus of those calling for Senator McKenzie to resign. Ms Steggal, a former Olympic skier, compared the Morrison’s Government grants scandal to

the Australian cricket team’s ball tampering disgrace. Ms Steggal stated that Senator McKenzie is “completely lost if she doesn’t think she needs to acknowledge that there’s something wrong with cheating kids and community sports clubs...I just think it’s disgusting.”

Senator McKenzie responded that no rules were broken, all successful applicants were eligible and therefore she will not be resigning. But the revelations just kept getting worse for Senator McKenzie. It was later revealed that Senator McKenzie awarded a grant of \$36,000 to the Wangaratta Clay Shooting Club without declaring that she was a member of the club.

The Prime Minister, **Hon. Scott Morrison, MP**, under intense and ongoing media scrutiny of Senator McKenzie’s conduct referred the Auditor-General’s report to the Secretary of Prime Minister and Cabinet, **Mr Phil Gaetjens**, to consider any matters there that were relevant to the statement of Ministerial standards. The Prime Minister stated that “I took the Auditor-General’s report very seriously and we are acting on the recommendations of that report.” In relation to Senator McKenzie’s grant to the Wangaratta Shooting Club, the Prime Minister also referred that matter to the Secretary.

On 2 February 2020, the Prime Minister received the confidential report of the Secretary of Prime Minister and Cabinet. The Secretary found that Senator McKenzie was in breach of the Ministerial standards for failing to declare her membership of an organisation which she gave a \$36,000 grant to. It is notable, however, that the Secretary found no bias in the grants program which was contrary to the findings of the Auditor-General.

Senator McKenzie resigned her Cabinet level Ministry and as the deputy leader of the National Party. Senator McKenzie stated that “I have always taken my role as a Minister of the Crown very seriously and I understand that the community expects Parliamentarians to abide by the highest standards. I accept the Prime Minister and Cabinet report, in relation to my previous role as a Sports Minister. I maintain that at no time did my membership of shooting sports clubs influence my decision making, nor did I receive any personal gain. However, I acknowledge that my failure to declare my memberships in a timely manner constituted a breach of the Prime Minister’s Ministerial standards. Elected representatives are responsible for public expenditure and take advice, not direction, from the public service and others.”

The Leader of the Opposition, **Hon. Anthony Albanese, MP**, was highly critical of the report prepared by Mr Gaetjens who was previously Mr Morrison’s chief-of-staff. Mr Albanese stated that Mr Gaetjens report said “that there was nothing to see here with regard to the sports rorts saga. Bridget McKenzie, of course, has been thrown under the bus for what relative to this \$100 million scandal is just one small element of it.” Mr Albanese asserted that the Prime Minister’s Office had a role in the scandal noting that “it is the case that Bridget McKenzie is the only sports player to ever be sacked for following the instructions of her coach. It’s very clear that the Prime Minister’s office was involved in this. It’s clear that there was rorting. And that was found by the independent Auditor-General. And for the Prime Minister to just dismiss the independent report of the Auditor-General because he has something from his former chief-of-staff, which conveniently lets everyone else off the hook, means that there needs to be a full and proper inquiry into this sorry saga.”



THIRD READING: NEW ZEALAND

The End of Life Choice Bill

The End of Life Choice Bill, legalising assisted dying for terminally ill adults with fewer than six months to live, passed its Third Reading in the New Zealand Parliament on 13 November 2019. Treated as a conscience issue, the Bill passed with 69 votes to 51; however, the law change will not come into force unless approved by the New Zealand public in a referendum to be held alongside the 2020 general election.

The Bill divided MPs on moral, religious, and cultural grounds, with some Members of Parliament fearful that the legislation would set a dangerous precedent in New Zealand. Concern was raised that the Bill could make vulnerable persons, including the elderly and those with disabilities, feel pressured into terminating their life prematurely. **Hon. Maggie Barry, MP** (National) argued: “The so-called right to die for some would all too easily become a duty to die for others, and a law change would normalise this.”

Moreover, **Hon. Aupito William Sio, MP** (Labour) expressed his concern about the welfare of medical practitioners and care facilities involved in the process. **Dr Shane Reti, MP** (National) cautioned that the law change would “change the very fabric of the doctor-patient relationship.”

Under the legislation, a request for assisted dying may be made only by persons over the age of 18 and with a terminal illness that two independent medical practitioners have judged likely to end their life within six months. Medical practitioners are prohibited from initiating discussions with patients around assisted dying; the terminally ill are able to change their mind at any point; and written consent or advanced directive requests are not permitted.

“It is now explicit that nobody can become eligible for assisted dying simply due to age, disability, or a purely psychological condition”, the Member in charge of the Bill, **Mr David Seymour, MP** (Leader - ACT) explained. Additional protections were added during the Committee of the Whole House, including the introduction of requirements pertaining to the qualifications of participating medical practitioners and protections for conscientious objectors, with health practitioners now able to opt out of participating in the process.

Several Members of Parliament expressed concern that the Bill does not take into consideration non-European cultures. **Mr Adrian Rurawe, MP** (Labour) stated that the Bill would “disadvantage Māori further in a system which

already disadvantages Māori.” Similarly, **Mrs Anahila Kanongata’a-Suisuiki, MP** (Labour) said the Tongan community that she represents felt “the premature ending of human life at the hand of others is unethical and abandoning the values of respecting and protecting human life.”

This belief was not shared by all, however. Fellow Labour Member, **Hon. Willie Jackson, MP** noted that the most important Māori tikanga [custom] was mana [prestige] and that “euthanasia was dying with dignity”; a view he said was held by leaders within his community.

Concern was also raised that the requirement for a referendum would do no more than shift responsibility from elected representatives to the New Zealand public. However, **Hon. Tracey Martin, MP** (New Zealand First) countered this argument, saying: “We’ve had our two years. We’ve had our hours and hours and hours of debate and this is where we are. We trust them to put us here; we should trust them with their own futures, however it lies.”

Referendums Framework Bill

The Referendums Framework Bill, a Government Bill, allows for referendums on cannabis regulation and legalisation and the *End of Life Choice Act* to be held alongside the 2020 general election. The Minister in charge of the Bill, **Hon. Andrew Little, MP** (Labour) explained that the legislation was important in order to provide a framework that “has integrity, is robust, and allows those referendums to take place under a set of rules that most voters will recognise.”

The Bill allows for the referendums to be held using the same voting places and staff as for the general election, and for the referendum results to be counted and distributed after the election results. It provides for an appeal mechanism and expires after the 2020 election.

Many Opposition MPs expressed concern about the speed with which the Bill passed through the House. It was argued that the referendums could distort the election outcome, and that there had been lack of parliamentary oversight over the formulation of the question in respect of the cannabis referendum. **Mr Matt King, MP** (National) labelled the Bill “undemocratic” and “unconstitutional”, while **Hon. Dr Nick Smith, MP** (National) argued that it would “[take] the power away from Parliament and [give] to the Government the decision about however many referendum they want to hold, on whatever topics they want to hold,



and whatever wording they wish to have.”

Mr Chris Penk, MP (National) argued that the next Parliament, the 53rd Parliament, would be expected to enact a law change that the current Parliament “[has not] had the opportunity to thrash . . . out in the way that we do in parliamentary debates . . . and certainly through the creature of Parliament that is Select Committees.”

Hon. Clare Curran, MP (Labour) maintained, however, that the Bill was about “having a really good set of mechanisms in place for people to make sure that we’re getting it right as to how those questions can be asked so that the public can be reassured that there will be minimal confusion.”

Ms Golriz Ghahraman, MP (Green) added: “it [would be] inaccurate were the public to assume that there has been no opportunity for all parties in this House to engage with this subject matter”, noting that there was the opportunity for the Bill to go before a Parliamentary Select Committee.

The Bill passed its Third Reading on 3 December 2019 with 64 votes to 56. It received Royal assent on 6 December 2019.

Terrorism Suppression (Control Orders) Bill

The Terrorism Suppression (Control Orders) Bill, a Government Bill, passed its Third Reading on 12 December 2019. The Bill introduces a civil regime of control orders to manage and monitor people returning to, or who have arrived in, New Zealand after having engaged in terrorism-related activities overseas.

Justice Minister, **Hon. Andrew Little, MP** (Labour) outlined the aims of the Bill, saying: “We know that the Terrorism Suppression Act from the late 2000s - 2007-08 - is a piece of legislation that had huge gaps in it . . . and this Government has taken up the task of totally reviewing that piece of legislation. In the course of that review, it’s become apparent that we need to have mechanisms such as these control orders to alleviate the risk that people who have participated in events abroad, in conflict zones, would pose to New Zealanders.”

Green MP **Ms Golriz Ghahraman** gave the context for the Bill: “This law, it has to be noticed, comes to this House in the context of New Zealand’s worst act of terror in living memory, which happened on 15 March at the mosques in Christchurch. It comes to us in the context of the now eight-year bloody war

being waged in Syria. It comes after decades of terrorism on the rise that includes the likes of ISIS, but it also now increasingly includes the rise of white nationalist terrorism.”

The National Opposition proposed amendments, including giving police the ability to detain a person for up to 72 hours, to renew the control orders beyond six years, and to include young people aged 14 to 18 in the control order regime. However, the amendments did not gain sufficient support, and Opposition MPs argued that the Bill did not go far enough to protect New Zealanders as a result.

Hon. Mark Mitchell, MP (National) argued that this was due to influence from the Greens: “The Minister - the Labour Minister of Justice - rolled over and he gave every concession and every amendment and every change that the Green Party wanted, bearing in mind that the Green Party don’t support Bills like this. The focus shifted - I can tell you now - from protecting our people in New Zealand to protecting the rights of a returning terrorist.”

Ms Priyanca Radhakrishnan, MP (Labour) countered: “. . . all the Opposition wanted to do was to make it more punitive and harsher, because for some reason they think that equates to safety - it does not. What equates to safety is

actually changing the behaviour that led to the lack of safety in the first place . . . this is a good Bill. It addresses a real risk that many countries are currently facing.”

Opposition MPs discussed the age restriction and the six-year limit on control orders. **Mr Simon O’Connor, MP** (National) explained: “Members in this House know very well that there are people who are actively engaged, or have been actively engaged, in terrorist activities who are younger than 18. These control orders will not apply to them. We know that these control orders can only last six years - six years, as if somehow, magically, we’re going to be able to turn every returning terrorist away from something that has completely defined their lives in six years.”

Mr Chris Penk, MP (National) also felt that the process had been rushed: “we felt on this side of the House that the process being rather rushed at Select Committee has probably been a contributor to the fact that the substance of the Bill, the final result, is such that we don’t think it can be supported.”

The Bill was supported by Labour, New Zealand First, and the Green Party, and passed with 63 votes to 56. It received Royal assent on 19 December 2019.

Te Pire kia Unuhia te Hara kai Runga i a Rua Kēnana / Rua Kēnana Pardon Bill

Te Pire kia Unuhia te Hara kai Runga i a Rua



THIRD READING: NEW ZEALAND

Kēnana / Rua Kēnana Pardon Bill passed its Third Reading on 18 December 2019 with unanimous support in the House.

Rua Kēnana was a prophet who established a community at Maungapōhatu in the Urewera mountains in New Zealand’s North Island. Rua had been convicted on charges of selling alcohol without a licence in 1911 and had served time in prison. In 1916, Rua was summoned to appear before a magistrate on the earlier charges, but believed he had already served his sentence. Seventy armed police were sent to Maungapōhatu to arrest him. During the arrest, Rua’s son Toko Rua and another man, Te Maipi, were killed, and others wounded. Thirty-one Maungapōhatu men were arrested and held for up to three days. Rua was convicted of ‘moral resistance’ and served 18 months in prison.

The Bill consists of Crown acknowledgments, an apology, and a pardon to restore the character, mana (prestige), and reputation of Rua Kēnana, his descendants, and followers of his Iharaira faith. The Minister for Māori Development, **Hon. Nanaia Mahuta, MP** (Labour) set out the aims of the Bill, stating that the Bill would: “provide a statutory pardon for Rua, as well as acknowledgments and an apology from the Crown for him, his followers, and his descendants . . . The Bill is designed to alleviate

the ongoing suffering of the people of Rua, and achieves the Crown’s objectives to promote reconciliation in the wake of historical wrongs.”

MPs reflected on the Crown’s past wrongs and their lasting impact on the Maungapōhatu community. **Ms Harete Hipango, MP** (National), explained: “The Maungapōhatu invasion and the Crown’s treatment of Rua was unreasonable. It was repugnant; it was reprehensible. The convictions have caused severe prejudice and burden to you, his uri (descendants).”

Mr Rino Tirikatene, MP (Labour) stated: “Terrible wrongs were committed against Rua Kēnana: trumped-up charges culminating in invasions into Maungapōhatu, and imprisonment. The impacts of that on the Iharaira faith and the whānau (family) of Maungapōhatu have been long lasting, but it ends today. It ends today with the passage of this Bill.”

Others commented that the Bill marked the beginning of the reconciliation process. **Ms Marama Davidson, MP** (Co-Leader - Green) commented: “I’m really, really clear that this Bill is only the start - he tīmatanga noa iho (it is just a start), albeit a long overdue one . . . I think the kōrero (discussion) that must stay on the table is one that asks: what will it take to truly restore justice, to hohou te rongō (to make peace)?”

Mr Matt King, MP (National) said: “It’s a statutory pardon and apology, and I hope it’ll go a long way to healing the wounds that were caused way back then. It’s a part of New Zealand, but we have to own up to it and we have to acknowledge that it happened, and this agreement and pardon is about moving towards reconciliation.”

MPs from across the House paid tribute to Rua’s descendants, who were instrumental in bringing the Bill to Parliament. **Ms Louisa Wall, MP** (Labour) stated: “I want to acknowledge that this Bill has happened because of you, the people from Te Urewera. We wouldn’t have done it ourselves.” **Mr Dan Bidois, MP** (National) added: “This is a proud day for the descendants of Rua Kēnana. You can be proud of his legacy but also his contribution to our country and to your community as well.”

The passage of the Bill was marked with a waiata (song) and haka (ceremonial dance) performed by Rua’s descendants in the gallery of the New Zealand Parliament. The Bill received Royal assent on 21 December 2019.

PARLIAMENT OF UGANDA SET TO AMEND CONSTITUTION AND FOUR LAWS AHEAD OF 2021 GENERAL ELECTIONS

The Uganda Parliament is set to amend the Constitution and a host of electoral laws ahead of the general elections scheduled for early 2021.

The Constitution (Amendment) Bill, 2019 will provide the second opportunity for Parliament to amend the Constitution through a Private Members Bill in three years. This Bill which seeks to abolish representation of the army in Parliament, repeal the office of Prime Minister, reinstate presidential term limits and prohibit the appointment of Ministers from among Members of Parliament, was moved by the Shadow Attorney-General, Hon. Wilfred Niwagaba, the MP representing Ndoorwa County East in Kabale district (in South Western part of the country).

Niwagaba, an Independent MP, formerly represented the constituency on the

government party, the National Resistance Movement (NRM) during his earlier terms in the House. He successfully navigated several challenges including failing to get the required certificate of financial implications from the Ministry of Finance, to have the Bill gazetted in December 2019 and presented for its First Reading in Parliament.

Following its First Reading, it was then referred to the House Committee on Legal and Parliamentary Affairs for further scrutiny. The Committee, chaired by an Independent MP, has scheduled countrywide consultations, before preparing and submitting its report in time for proceeding to the debate, Second and Third Reading of the Bill.

In December 2019, Opposition legislators led by the Leader of Opposition in Parliament, Hon. Betty Aol

Ocan, MP were joined by party leaders and representatives from UPC, DP, FDC and Justice Forum (Opposition parties with representation in Parliament) to meet and lay strategies on how to push the privately sponsored Bill, which seeks to make changes in a host of areas in the Constitution.

Then, the Shadow Minister of Constitutional Affairs, Hon. Medard Sseggon, said that although a Bill seeking to amend the Constitution needs to be comprehensive and moved after a constitutional review process, it should not have too many controversial issues that would lead colleagues in Parliament to reject it. He advised colleagues to stick to areas where they have chance of getting the support of a large number of Members, including those on the government side. "We must be strategic and different from

our colleagues in government; we must not seem to target the President as this creates immediate opposition against the entire Bill," he said.

However, Hon. Medard Sseggon also said that all proposals would be considered at a later stage and wide consultations would be held among parties and parliamentary party caucuses. He said that the amendment to prohibit the appointment of Ministers from among Members of Parliament would liberate the Legislature from the Executive and to guarantee the independence of the institution.

The Leader of the Opposition, Hon. Betty Aol Ocan, MP, said the Bill was not targeting the sitting President but rather to improve democracy and governance in the country. "This is about how to improve on governance in our country, and this Bill will help solve several

challenges we have. The retreat is over, but the conversation continues," Hon. Betty Aol Ocan, MP said, adding that "it's our Bill, so we have to popularize it. All parties should participate in it."

Provisions of the Constitution (Amendment) Bill, 2019:

- The Bill proposes that the Chairperson, Deputy Chairperson and members of the Electoral Commission, the body charged with organising and managing elections in the country, be appointed by the President, acting on the advice of the Judicial Service Commission, which shall be required to advertise the positions to the public.
- It also provides that the Chairperson shall be a person qualified to be a judge of the High Court and have at least three years experience in electoral matters, governance or public administration. It prohibits persons from being appointed members of the Electoral Commission, if they have been convicted by a competent court of an offence whose sentence of imprisonment is three years or more; is bankrupt; of unsound mind, been involved in elective politics or a political party or organisation's leadership or been convicted of an offence involving dishonesty or moral turpitude.
- It also proposes that the Deputy President (one of the new positions the Bill seeks to introduce), Ministers, the Attorney-General and Deputy Attorney-General be ex-officio members of the House without a right to vote on any issue requiring a vote in Parliament. It also says that Cabinet Ministers shall be appointed by the President with the approval

of Parliament from persons qualified to be elected Members of Parliament but are not elected Members of Parliament.

- The Bill seeks to introduce a Speaker's Panel in Parliament consisting of three Members nominated by the Speaker from among Members of Parliament. Members on this panel will preside over sittings of the House in the absence of the Speaker or Deputy Speaker.
- The Bill also seeks to provide for the involvement of the Parliamentary Commission in the appointment of the Clerk to Parliament; the involvement of the Judicial Service Commission in the appointment of members of the Electoral Commission; the qualification of the Electoral Commission Chairperson and the grounds for disqualification of members of the Electoral Commission.

The other Bills before Parliament (Committee or plenary) which are due for consideration ahead of next year's general election are:

- *The Presidential Elections (Amendment) Bill, 2019;* which seeks to amend the *Presidential Elections Act, 2005* to prescribe the period for holding presidential elections; to prescribe the time for campaigns; to provide for the participation of independent candidates in elections; to provide for restrictions on candidates' sources of funding to finance elections; to provide for the electronic transmission of results and to align the *Presidential Elections Act, 2005* with the *Constitution (Amendment) Act, 2018*.
- *The Parliamentary Elections (Amendment) Bill, 2019;*

seeks to amend the *Parliamentary Elections Act, 2005* to provide for the participation of independent candidates in elections; to provide for restrictions on candidates' sources of funding to finance elections; to require the Electoral Commission to designate restricted areas and to provide for a special procedure for voting in restricted areas.

- *The Local Governments (Amendment) Bill, 2019* seeks to: amend the *Local Governments Act, Cap. 243* to provide for the creation of local government and magistrate units at least two years before the due date for the next general elections; to provide for the demarcation of electoral areas; to prescribe the manner of conducting campaigns; to bar persons not ordinarily resident in a local government area from contesting for councilor for that area; to provide for the procedure for commencement of polls at each polling station and to align the *Local Governments Act* with the provisions of the *Constitution as amended by the Constitution (Amendment) Act, 2018*.
- *The Electoral Commission (Amendment) Bill, 2019;* seeks to amend the *Electoral Commission Act* to establish the Electoral Reform Committee; to provide for the use of technology in the management of elections; to re-designate Registrars as District Election



Hon. Wilfred Niwagaba, MP

Administrators; to provide for the appointment of Assistant Returning Officers by the Commission; to require the Commission to publish in the Gazette, places at which voters' registers and polling stations are to be displayed and to align the *Electoral Commission Act* with the *Constitution as amended by the Constitution (Amendment) Act, 2018*.

The Electoral Reform Committee, which shall be constituted by the Chairperson of the Electoral Commission six months after a general election, shall be charged with: studying electoral and other laws relating to matters and processes of elections in liaison with Uganda Law Reform Commission; synthesising various reforms proposed by political parties, election observers and monitors, civil society and other stakeholders or arising from court decisions; consulting the relevant stakeholders on the proposed electoral reforms; recommending to the Minister responsible for justice, concrete proposals for electoral reforms and for strengthening the electoral system.

These Bills are at different stages of consideration by the Committee/plenary of the House in the Parliament of Uganda.



Images: Parliament of Uganda/CPA Uganda Branch

UK PARLIAMENT PASSES EU WITHDRAWAL AGREEMENT FOLLOWING GENERAL ELECTION

On 29 October 2019, the UK Prime Minister, **Rt Hon. Boris Johnson, MP** (Con) introduced the Early Parliamentary General Election Bill to provide for an election to be held on 12 December 2019. This followed three attempts by the Government in September and October 2019 to mandate a General Election by tabling a motion under the *Fixed-term Parliaments Act, 2011*. The Act requires two-thirds of MPs to vote in favour of an early general election before the next scheduled polling day under the Act. The Government failed to secure this two-thirds majority on all three occasions.

The Prime Minister introduced the Early Parliamentary General Election Bill following the Government's defeat on its programme motion for the European Union (Withdrawal Agreement) Bill in October 2019 and the subsequent granting by the European Council of the request made by the Prime Minister to extend the negotiating period to 31 January 2020.

The request was mandated by the *European Union (Withdrawal) (No. 2) Act, 2019* which the Government opposed (see UK parliamentary report in *The Parliamentarian* 2019, Issue Four). After having voted to oppose the motions for an early general election, the Leader of the Opposition, **Rt Hon. Jeremy Corbyn, MP** (Lab) told the House of Commons during the Second Reading debate of the Bill: *"I have said consistently, when no deal is off the table we will back an election. Today ... no deal is officially off the table, so this country can vote for the Government that it deserves."*

The Bill 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 6 November 2019. This concluded one of the shortest parliamentary sessions in over 70 years, lasting just 19 sitting days. By contrast, the previous 2017-19 session was the longest parliamentary session (by sitting days) since the 17th century.

The UK electorate went to the polls on Thursday 12 December 2019. The Conservative Party were returned with a majority of 80 seats, the largest Government majority since the 2001 election, which gave **Rt Hon. Tony Blair** (Lab) his second term. It is the largest Conservative majority since the 1987 general election. The Conservatives had a net gain of 48 seats with 44% of the popular vote. The Opposition Labour Party lost 60 seats with a 32% vote share, an 8% fall from the 2017 general election.

Outside 10 Downing Street on 13 December 2019, following his appointment as UK Prime Minister by Her Majesty Queen Elizabeth II, **Rt Hon. Boris Johnson, MP** said: *"MPs will arrive at Westminster to form a new Parliament ... and yes, they will have an overwhelming mandate, from this election, to get Brexit done and we will honour that mandate by 31 January."*

European Union (Withdrawal Agreement) Bill

The State Opening of the UK Parliament was held on 19 December 2019. A revised European Union (Withdrawal Agreement) Bill ("the WAB") was introduced to the House of Commons the same day, with

the Second Reading debate taking place on 20 December 2019 before the Christmas recess. It passed Second Reading by 358 to 234 votes. The Committee and remaining stages took place between 7 and 9 January 2020 in the House of Commons.

Over 120 amendments were tabled for Committee stage. The House of Commons divided on amendments regarding the right to permanent residence for EU nationals [NC05], UK-EU negotiation objectives on workers' rights protection [NC2], and family reunification provisions for unaccompanied child refugees [amt. 4]. The Democratic Unionist Party also tabled amendments regarding Northern Ireland's place in a future UK internal market, which was divided on [NC55]. The Government defeated these amendments with majorities between 75 and 96.

One amendment which attracted media attention was that tabled by **Rt Hon.**

Mark Francois, MP (Con), which would have provided for *"The Speaker of the House of Commons and the Corporate Officer of the House of Commons ... [to] make arrangements for [the United Kingdom's Withdrawal from the European Union] to be marked by the sounding of the hourly chimes including eleven strikes of the principal bell (Big Ben)."*

However, the amendment was not selected by the (then temporary) Chairman of Ways and Means, **Rt Hon. Sir Roger Gale, MP** (Con). Sir Roger Gale was a temporary Deputy Speaker as the election for the role had not yet taken place.

The unamended Bill passed its Third Reading on 9 January 2020 by 330 votes to 231. This was in contrast to the three Government defeats at various stages and iterations of the Withdrawal Agreement Bill in the last Parliament.

House of Lords amendments

The Bill had its Second Reading and Committee stage in the



House of Lords between 13 and 17 January 2020. A total of 70 amendments were tabled at Committee stage and 29 at Report Stage. Unlike the House of Commons, the House of Lords remains a hung chamber with no government majority. There were five divisions at Report Stage, all resulting in Government defeats.

These amendments touched upon some of the issues which were voted on in the Commons. Notably, **Lord Oates'** (Lib Dem) amendment relating to residence rights for EU citizens passed by 269 votes to 229. **Lord Dubs** (Lab) tabled an amendment to leave out clause 37 of the

WAB, which amends section 17 of the European Union (Withdrawal) Act 2018 (family unity for those seeking asylum or other protection in Europe). Speaking for his amendment at Report stage, **Lord Dubs** said: *"In 2018, I moved an amendment, to [the European Union (Withdrawal) Act 2018], to provide that... family reunion should be carried through in the negotiations for when we leave the EU... that became part of the Bill, was then endorsed by the Government and became part of the 2018 Act... It is that provision which the Government are seeking to delete in this Bill, and my wish is to retain the 2018 Act as it stood."*

Baroness Williams of Trafford (Con), House of Lords Minister of State for the Home Office, responded by telling the House: *"Clause 37 concerns only the removal of the statutory duty to negotiate an agreement on family reunion for unaccompanied children ... We are restoring the traditional division of competences between Parliament and Government when it comes to negotiations, and similar changes have been made to negotiating obligations across the Bill. Furthermore ... we have gone beyond the original amendment by the noble Lord, Lord Dubs, and provided a statutory guarantee that the*

Government will provide a statement of policy within two months of the withdrawal agreement Bill's passage into law."

Despite these assurances, the House divided on **Lord Dubs'** amendment and it was carried by 300 votes to 220.

The House of Lords sent five amendments to the WAB back to the House of Commons on 21 January 2020. The House of Commons considered the House of Lords amendments on 22 January 2020 and rejected all five with reasons. The House of Lords did not insist on their amendments. Royal Assent was notified to both Houses on 23 January 2020, as the Bill became law. The European Parliament ratified the agreement on 29 January 2020 and the UK withdrew from the EU at 11pm (GMT) on 31 January 2020 after 47 years of membership.

Upcoming Brexit-related Bills

Although the UK has formally withdrawn from the EU, Bills which provide for a transition from EU membership in several policy areas will continue to dominate the Parliamentary timetable before the end of the 'implementation period'. The implementation period, which began on 31 January 2020 and runs until 31 December 2020, provides time (although whether enough time is disputed) for the UK and EU to negotiate a future framework for their relationship, and for the UK to implement the necessary legislation to transition from being a member state of the EU. Iterations of some of these Bills were introduced in the last Parliament under Prime Minister, **Rt Hon. Theresa May, MP**. These included the Agriculture, Environment and Fisheries Bills.

7TH PRESIDENT OF SRI LANKA CEREMONIALLY OPENS PARLIAMENT - 'VISIONS OF PROSPERITY AND SPLENDOUR'

President Gotabaya Rajapaksa inaugurated the fourth session of the eighth Parliament of Sri Lanka on Friday 3 January 2020, inviting all to join hands to develop the country, establish peace and harmony without neglecting national security, and reject the role played by minorities as kingmakers.

Giving a taste of what awaits Sri Lanka in the next five years, President Gotabaya Rajapaksa outlined the core policies of his Government, centring on significant changes to develop Sri Lanka's economy, including revamping the public sector, infusing technology in agriculture, and plans to improve investment and reduce poverty.

Excerpts of the address by His Excellency President Gotabaya Rajapaksa at the ceremonial opening of the Parliament of Sri Lanka, Sri Jayewardenepura - Kotte, 3 January 2020:

▪ *Honourable Speaker, I now take this opportunity to table the 'Visions of Prosperity and Splendour' Policy Statement.*

▪ *The people of this country gave me a clear mandate at the Presidential election held on 16 November 2019. That mandate was granted because of the trust the people had in me. I, together with my Government, stand committed to honour the trust of the people and implement the programme of developing a prosperous nation that we promised to them.*

▪ *The people who elected me to office desired a profound change in the political culture of this country. They rejected political agendas founded on race. The majority of the people proved that it is no longer possible for anyone to manipulate and control the politics of this country by playing the role of king maker.*

▪ *I invite the politicians concerned to understand this reality. I call upon all to join together in the national undertaking to develop this country, and to reject the politics based on petty agendas that have sown division in our society in the past.*

▪ *We must always respect the aspirations of the majority of*

the people. It is only then that the sovereignty of the people will be safeguarded.

▪ *In accordance with our Constitution, I pledge that during my term of office, I will always defend the unitary status of our country, and protect and nurture the Buddha Sasana whilst safeguarding the right of all citizens to practice a religion of their choice.*

▪ *This Parliament should once again become an exemplary institution where the real issues of the people are discussed, where matters concerned with national policy are subjected to debate, and where the responsibilities of the legislature are duly fulfilled. The responsibility of ensuring*

that the Parliament once again becomes an institution winning the respect of the people lies with the Members who are in this House.

▪ *There is a social, economic and political crisis in the country today. Even after 70 years of Independence, we cannot be satisfied with the country's development. We all have a responsibility to change this situation. We must be prepared to make the sacrifices required for this.*

▪ *The primary responsibility of a people's representative is service to the people. We should all remember that the offices we hold are not privileges, but responsibilities.*

▪ *In accordance with that program, we have already taken several steps including the easing of taxes that were unduly burdening the public, introducing a high degree of transparency and efficiency to the Government administration, and curtailing unnecessary Government expenditure.*

During the speech, the President touched on the importance of restoring the respect of Parliament and the long political history of his family. President Rajapaksa devoted the lion's share of his speech to discuss the economic challenges before Sri Lanka and the need to focus on achieving greater expectations of the public.

He pointed out that the first steps to turning around Sri Lanka's economy has already been taken with the stimulus package, loan moratorium and restrictions on imports of spices, but insisted that much more needs to be done.

"We must ensure that the benefits of development reach every group of people. We must employ modern methodologies



Left: The President of Sri Lanka, His Excellency Gotabaya Rajapaksa arrives for the opening of the fourth session of the eighth Parliament of Sri Lanka and is welcomed by the Speaker of Parliament, Hon. Karu Jayasuriya and parliamentary officials.

and indicators to gauge whether the needs of the people are truly being met and whether they are happy. It is no longer necessary to wait for elections to find out how people feel about the work program of the Government," he said.

"We need everyone's support for our efforts to reduce the cost of living of the people. The corporate sector must ensure that some percentage of the benefits of the tax concessions recently provided to them are passed on to the public as well. Accordingly, we expect a reduction in the price of all goods and services on which taxes have been reduced."

The President emphasised that the main aim of the stimulus package is to ensure economic stability for all citizens, provide equal opportunities for citizens, to establish a clean and efficient State sector that is committed to public service, and to protect and empower local entrepreneurs. *"In order to successfully establish a people-centric economy, it is important that every official from the highest to the lowest level of*

government becomes aware of our vision and aims. That will enable them to perform their duties more productively."

He backed implementing a special program to combat corruption and fraud. He also said legal action must be taken promptly against all who engage in corrupt practices, irrespective of their status. *"Today, most countries have employed technology as a means of enhancing the efficiency of the State sector. Through this, it will also be possible to provide equal opportunities for all. As such, we will pay special attention to increasing the use of technology in government institutions. If we work according to a proper plan, we will be able to encourage international businesses to locate themselves in Sri Lanka and supply goods and services*

to regional neighbouring countries. To encourage such investors, we must be prepared to swiftly provide all the facilities they require within Sri Lanka."

Continued improvement of infrastructure would also be necessary and will remain a focus of the Government, the President said. It will be broadened to include train travel and improve urbanization issues, such as traffic. *"For economic development to occur, it is important that we accelerate improvements to the road network, including the expressways, so that travel from any one part of the country to another in a few hours becomes possible. The development of the train service is an integral part of this program. We can also help alleviate the grave problem of heavy road congestion through an efficient and comfortable train service."*

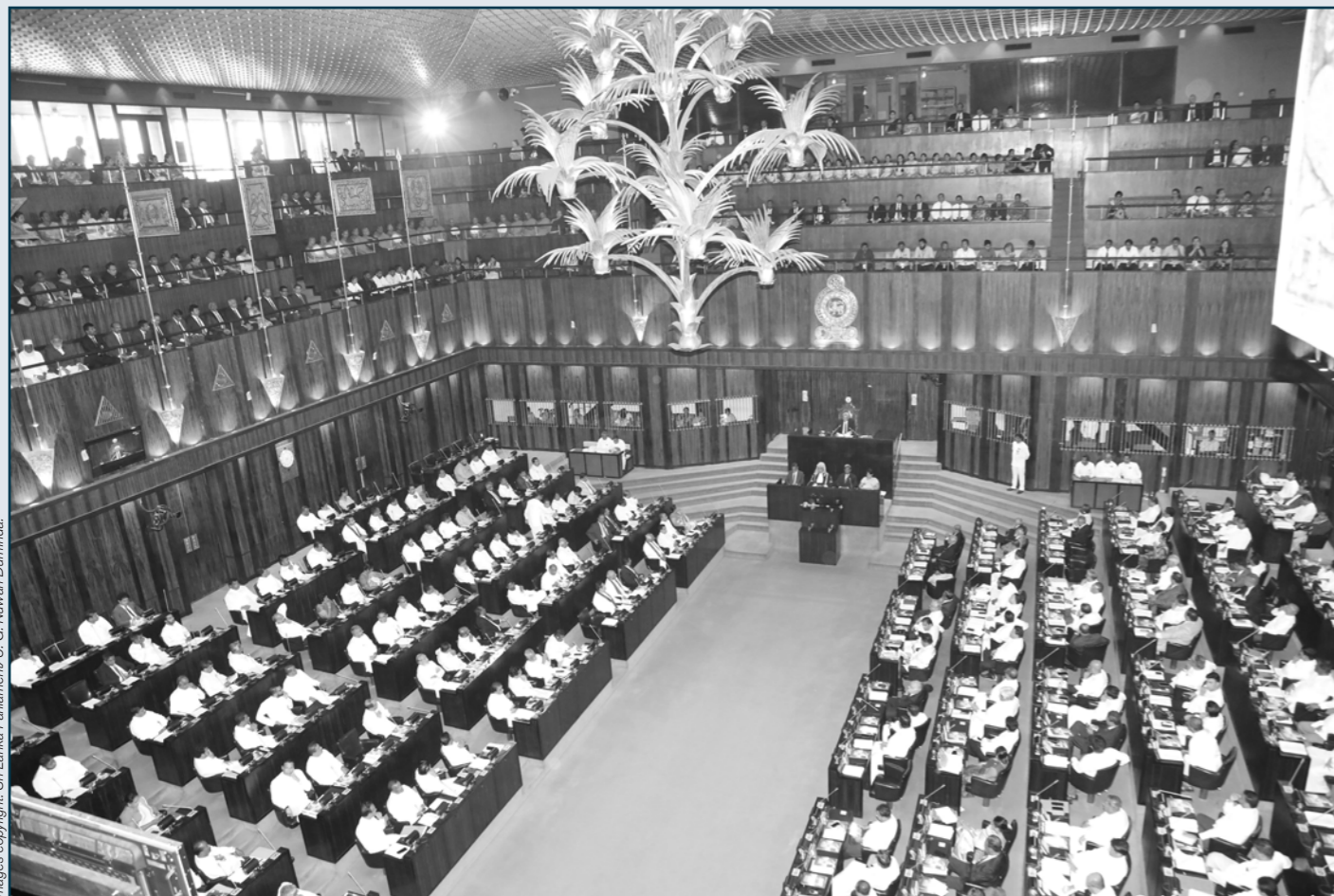




Image copyright: Sri Lanka Parliament/U. G. Nuwan Durrinda.

President Rajapaksa was also adamant that stronger policies are needed to support agriculture, pointing out a third of the country's population is engaged in agriculture, plantation industries, and the fisheries sector, and the living standards of people employed must be raised. He recommended that new technology-based approaches that can develop these industries beyond traditional farming methods must be introduced. "More attention has to be paid to the ocean economy. We will introduce a systematic program to improve the fisheries sector through the introduction of new technologies and equipment. Existing harbours will be improved and new harbours will be developed to cater to the requirements of multi-day vessels that engage in deep sea fishing. Introducing new technologies to further develop the inland fisheries sector is also part of our plan. Protecting the natural environment for our future generations is one of our fundamental responsibilities. We will pay special attention to environmental protection in the formulation and implementation of government policies."

Most of the policies outlined by President Rajapaksa draws from his election manifesto, which he repeatedly referred to in his statement. The manifesto aims to increase annual growth to 6% and double per capital

income from the current \$4060 by 2025. The President also called for constitutional reform which he said is essential to safeguard the security, sovereignty, stability and integrity of the country. "The success of a democracy rests upon its Constitution. The 1978 Constitution, which has since been amended on 19 occasions, has given rise to many problems at the present time because of its inherent ambiguities and confusions," he said.

The President also highlighted the need for electoral reform. "Whilst preserving the positive characteristics of the proportional representation system, electoral reforms are needed to ensure the stability of the Parliament and to ensure the direct representation of the people. Though elections can be won through numbers, an unstable Parliament that cannot take clear decisions and remains constantly under the influence of extremism is not one that suits the country. We can solve this problem through constitutional reforms that will establish a strong Executive, Legislature and an independent Judiciary that can ensure the sovereignty of the people," he said.

The Ceremonial Session was officiated by Dhammika Dasanayake, Secretary-General of the Parliament of Sri Lanka together with Neil Iddawala, Deputy Secretary-General, Kushani Rohanadeera and Tikiri Jayathilake, Assistant Secretaries-General.

Prevention of Offences Relating to Sports Act, No. 24 of 2019

The Bill which sought to prevent offences such as match-fixing, corruption, illegal manipulation and illegal betting in sports, was presented in the Parliament of Sri Lanka by **Hon. Harin Fernando, MP**, Minister of Telecommunication, Foreign Employment and Sports on 8 October 2019.

The Second Reading of the Bill took place on 11 November 2019 and was approved unanimously by the Parliament without any amendments.

Hon. Harin Fernando, MP, who introduced the Bill, stated that this is a very important piece of legislation for the country as it paves way for transparency in all sports activities.

Sri Lanka is a country that has a rich history of sports, with many outstanding sports figures who won Olympic medals and several medals at international level. When the Sri Lanka cricket team became the world champions of cricket, among other sports, the country occupied a prominent place in the field of sports. However, match-fixing, corruption, unlawful directions and the state of malpractices have posed a great threat to the state of sport in Sri Lanka. Therefore, it became essential to introduce a law to combat match-fixing and other malpractices, in order to safeguard sports in Sri Lanka against corrupt elements and to maintain the ongoing good governance of all sports.

The main objectives of the legislation are to prevent match fixing, corruption, illegal manipulation and illegal betting in sports through strengthening national and international co-operation among sports organisations and to promote best practice in sports.

The Act makes provision for the appointment of an independent and impartial Special Investigation Unit, consisting of Police Officers (not below the rank of Assistant Superintendent) for conducting investigations in relation to an offence under this Act.

Match fixing, corruption, illegal manipulation and illegal betting in sports are defined as offences in Part II of the Bill. Any person who commits such offences shall on conviction be liable to a fine not



exceeding one hundred million rupees or to imprisonment for a period not exceeding ten years or to both. All offences under this Act shall be investigated, tried or otherwise dealt with in accordance with the provisions of the Code of Criminal Procedure Act.

In addition to the above, any person who fails to disclose information connected to the above offences or any person who fails to cooperate in relation to any investigations in respect of the above offences shall also be liable to a fine up to two hundred thousand rupees or up to three years imprisonment.

The legislation not only seeks to punish any person related to a sport who is directly involved in match fixing, but also those who provide inside information and failure to report corrupt approaches to the Special Investigation Unit. Curators who prepare surfaces to suit betting operators or the match officials who deliberately misapply the rules for money can also be punished under this Act.

Hon. Gamini Lokuge, MP stated that this legislation would protect and improve sports and urged that action should be taken to punish the corrupt players, regardless of party conflicts or party politics. He also stated that those involved in corruption and malpractices prior to the enactment of this legislation cannot be punished, as the Bill does not have

retrospective effect. He further stated that if the International Cricket Council had laws relating to match-fixing then those who were involved in match-fixing and corrupt activities in cricket would have been brought before the law and banned for their lifetime from the sport.

Hon. I. Charles Nirmalanathan, MP appreciated the Sports Minister for bringing forward this legislation. He stated that there are many sportsmen and sportswomen with special talents in our country and such talents are not properly encouraged due to political interference, malpractices and corruption. He also brought to the notice of the Minister some shortcomings in distributing sports equipment in the Northern Province and requested that the Minister take necessary action to formulate proper procedures to distribute sports equipment.

Hon. Arjuna Ranatunga, MP stated that the Bill is very important and requested the Minister of Sports to take action to investigate past incidents as well. He further stated that in addition to cricket, there have been issues in the administration of rugby, football and on the Olympic Committee, where money plays a major role and that if these alleged past incidents were investigated, then some of the Administrators in the sports field would have been prosecuted and not the players.

Hon. Bimal Rathnayake, MP stated that his party, Janatha Vimukthi Peramuna, supported the Bill. He pointed out that the Cricket Board has been involved in several malpractices and corruption cases in the last 20 to 25 years, especially after winning the world cup in 1996, as per the findings of the Committee on Public Enterprises and the Department of Auditor-General. He further stated that appointing or nominating politicians and political appointees to the Administrative Boards of various sports is one of the reasons for such malpractices and corruption, and he therefore recommended enacting laws to prevent brokers becoming involved in the Administrative matters of the Cricket Board. He also stated that it is the bitter truth that the number of players playing for the country has been declining due to the corrupt administration in the sports, especially in cricket.

Hon. Thilanga Sumathipala, MP expressed his cooperation for the enactment of the legislation. However, he stated that there are certain practical issues in implementing this Bill and such provisions need to be amended.

The Speaker of the Parliament of Sri Lanka endorsed his certificate on the Bill on 18 November 2019 and it became the law of the country from that date.

THIRD READING: SRI LANKA

PARLIAMENTARY REPORTS FROM TRINIDAD AND TOBAGO

Trinidad Parliament passes 2019-2020 Budget

The year 2020 is election year as the over one million voters of Trinidad and Tobago go to the polls to elect a new government, and the election is likely to be held any time before September 2020.

Minister of Finance, **Hon. Colm Imbert, MP** told the Parliament of Trinidad and Tobago in his presentation of the 2019-2020 Budget Speech that total revenue was expected at \$47.749 billion, up from \$46.559 or \$1.190 billion from the estimated revised outturn in 2019.

“Total expenditure for fiscal 2020 has been budgeted at \$53.036 billion - an increase of \$2.533 billion over the fiscal 2019 outturn of \$50.504 billion, but significantly lower than the past expenditure of \$62.840 billion achieved in 2014. This is a substantial reduction in expenditure from the 2014 peak level of \$62.840 billion, and it is approximately \$10 billion or 16% less than the unsustainable 2014 expenditure

of the previous Government”, he told Parliament.

He said that the fiscal deficit for 2020 is expected to increase marginally to \$5.287 billion or 3.1% of Gross Domestic Product compared with a total deficit of \$3.945 billion or 2.4% of GDP in fiscal 2019, which was below the projected deficit of \$4.050 billion.

Minister Imbert said that budgeted revenue for 2020 be predicated on the same oil and gas assumptions established in the mid-year Budget Review and that he was utilizing an oil price of US\$60.00 and a gas price of US\$ 3.00 per MMBtu. “Our assumed oil price is below the International Monetary Fund (IMF) oil price forecast of \$63.86 per barrel for 2020 and also lower than the current oil price forecasts by the World Bank, United States Energy Information Administration (USEIA) and the International Energy Agency (IEA).”

Minister Imbert said that it was his Government’s intention to tackle crime and criminality, the Government

has recognised that major demands are placed on our command and control system. These include: surveillance systems and drones, with drones providing 24/7 eye-in-the-sky capability to all ports of entry, polygraph equipment for use in the recruitment of police officers as well as on a random basis throughout the police service, drug testing equipment for our police service, information and technology upgrades to support and strengthen police service capability.

“Madam Speaker, with more than three quarters of the murders in the country being fire-arm related, the Trinidad and Tobago Police Service is focusing on this type of violence for reducing murders and serious crime in the country. With the police tactical units addressing suppression, the police community secretariat building community relations and the prison service on rehabilitation, Government has established the Cure Violence Programme for an initial three-

year period starting 1 January 2020 with technical assistance from the Inter-American Development Bank.”

Minister Imbert continued: “The Cure Violence Programme for which pilots will be implemented in sixteen communities in East Port-of-Spain will target those highest at risks of being perpetrators and victims of violent crimes. The programme will interact within the highest risk communities to reduce membership of gangs and those vulnerable to gang involvement. This will be implemented through the well-established and evaluated Crime Violence Model which has been successfully tested in more than 22 cities in the United States, and eight other countries including Honduras, Mexico, South Africa and the United Kingdom.”

The Leader of the Opposition, **Hon. Kamla Persad Bissessar, MP** in her reply to the Minister’s Budget said that she was thankful that this Budget was the last of this failed

administration, as she termed the Budget had no imagination, no innovation, no creativity, no ideas, no vision. “But worse, because they have achieved so little with over \$200 billion spent in the last four years and because this was his last Budget when he needed to sound triumphant for election purposes, the Minister had to keep repeating things they promised during the last four years to make it seemed a lot.”

Persad-Bissessar continued: “And in their fifth and final year, instead of having fruits of strategic intervention to celebrate, we were being told of coming soon... everything was coming soon. Stay tuned. This confirms the fact that they had no plan when they got into government and just fumbled and stumbled around for the last four years. And so forward now to the future. And not in any vague, generalised way. We have thought long and hard about it. And as I demonstrated today, we know exactly what to do for the transformation and resurrection of our nation’s economy. We must leave the incompetent governance of the last four years, epitomized by the emptiness of the 2020 budget.”

Trinidad Parliament returns to its original home - Red House

The Parliament of Trinidad and Tobago has returned to its original home, the Red House, after a hiatus of ten years.

The Speaker of the House of Representatives, **Hon. Bridgid Annisette-George, MP** told Members of Parliament that the Red House, which was the seat of Parliament for over a century, will reconvene there by the end of January 2020. The Parliament was temporarily housed at the Waterfront Plaza from October 2011 due to the deterioration of the building.

In announcing the return to the Red House, the Speaker told Members that the restoration of the Red House and the refurbishment of the adjacent Cabildo Parliament Complex will be completed by 31 December 2019. “As Members are all aware, the Red House is the home of the Trinidad and Tobago Parliament and the seat of democracy. This monumental and historic building required urgent restoration and as some Members may recall, in 2011, a decision was made to temporarily relocate both Houses of Parliament and all support facilities and offices to our current location.”

The Red House, as it was later called, was burnt down following the Water Riots of 23 March 1903, which was caused by the hike in water rates, and it was rebuilt in 1907. On 27 July 1990, following an attempted coup, the chamber was smashed up, and seven people were killed. At the refurbished Red House, an eternal flame ‘symbolizes in the need to be ever vigilant in the protection of our democracy’.

Trinidad and Tobago Parliament legalizes marijuana usage

The President of Trinidad and Tobago, Her Excellency Paula-Mae Weekes has proclaimed the Dangerous Drugs (Amendment) Bill 2019, following its passage in both Houses of Parliament, the House of Representatives and the Senate.

In presenting the Bill, the Attorney-General, **Faris Al-Rawi** said that one of the major highlights of the Bill was that persons convicted up to 60 grammes of cannabis resin shall have that offence expunged from their criminal record and may apply under the Constitution for a pardon. He pointed out the possession

of more than 30 grammes but not more than 60 grammes of cannabis will be governed by a fixed penalty system. “Community service provides an alternative remedy for failure or refusal to pay prescribed fines. This also criminalises anything that a person does which constitutes negligence, professional malpractice or professional misconduct whilst under the influence of cannabis. For the record while possession under 30 grammes may be something we don’t prescribe an offence, smoking or using is still a criminal offence, Madame Speaker, and therefore it is very important that people understand that there are still consequences. This law is not in effect yet until it is proclaimed by virtue of the President’s proclamation.”

Opposition MP, **Dr Bhoendradatt Tewarie, MP** for Caroni Central, noted that the Opposition was of the view that there was an imbalance in the fines and the community service time, and they felt fines were too high and community service was low, and was concerned about the need for an attorney in applying for a marijuana case to be discharge.

Trinidad Parliament passes Sexual Offences Amendment Bill

Trinidad and Tobago have recorded over 10,000 cases of child pregnancies over the years and cases such as a 55-year old man marrying a 12-year old girl.

Attorney-General, **Faris Al-Rawi** said that there is evidence of abuse across Trinidad and Tobago. He said that the Sexual Offences (Amendment) Bill aims to provide for the establishment of a sex-offences registry which will make it mandatory for adults convicted of sex crimes to be listed, but the names on

the list will not be made public unless a court order.

The Attorney-General said that the legislation along with the recent amendments to the Marriage Act which outlawed the practice of child marriages in Trinidad and Tobago, aims to protect children from sexual abuse.

The Bill was unanimously passed in the House of Representatives, and the Attorney-General pronounced that: “If we can’t identify what is wrong with one society, we are spinning the proverbial top in the mud. That’s why our laws for many years have not had the bite they ought to have.”

According to the Bill, the Commissioner of Police is vested with custody and control of the National Sex Offender Register and they would be responsible for maintaining it, and making sure that the information entered into it is in accordance with the Act, and any written law.

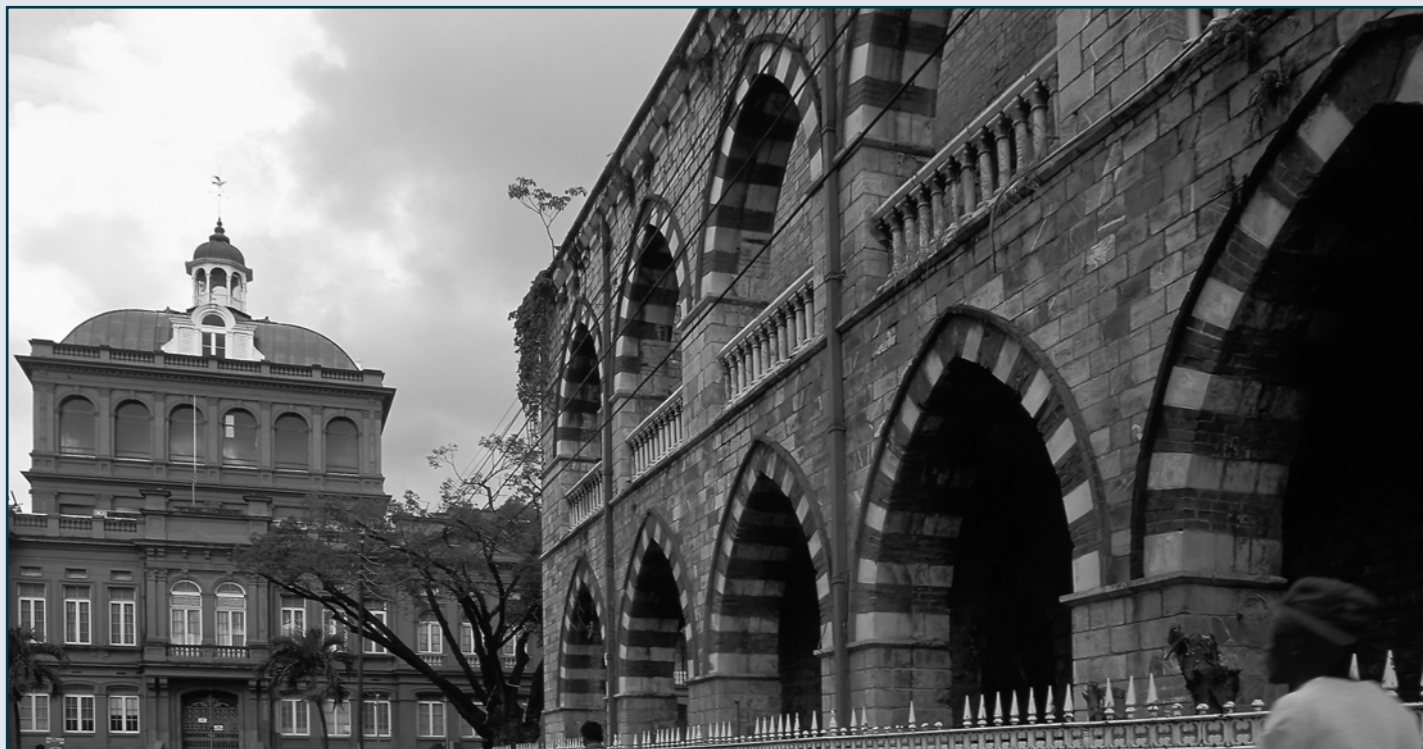
The Opposition fully supported the Bill as a move to curtail the horrendous quantum of child abuse sex cases which have now reached crisis state in Trinidad and Tobago. The Commissioner of Police would have a critical role in seeing that the Bill is fully understood and applied thoroughly.

Election season in Trinidad and Tobago

The years 2019, 2020 and 2021 are election season in Trinidad and Tobago, and the first one took place on 2 December 2019, with the holding of the Local Government Elections.

According to the Elections and Boundaries Commission, an independent body protected by the Republican Constitution, some 34.49% voted out of 1,079,976 registered voters.

Total votes cast were 372,503, with the Opposition United National Congress (UNC) gaining 202,584 votes as



opposed to the ruling People's National Movement (PNM) which received 161,962 votes. The UNC obtained 65 seats, while the PNM gained 74 seats, and at stake were 139 electoral districts. There are 14 regional and city corporations, with each of the two major political parties tying for seven corporations.

The PNM won the urban corporations as Port-of-Spain, Arima, Diego Martin, San Juan/Laventille, San Fernando and Tunapuna. On the other hand, the UNC won Couva/Tabaquite/Talparo, Princes Town, Penal/Debe, Chaguanas, Mayaro/Rio Claro, Siparia and Sangre Grande; the latter was wrested by the UNC from the PNM.

There was heavy campaigning in the weeks preceding the vote on 2 December 2019 as the PNM used the television, radio and newspaper as its campaign strategy, whilst the UNC primarily focussed on house-to-house campaign. Four small parties polled approximately 2,500 votes.

The Prime Minister, **Hon. Dr Keith Rowley** claimed victory for the PNM by winning the highest number of electoral seats, whilst the Opposition Leader, **Hon. Kamla Persad Bissessar, MP** claimed victory for the UNC by winning the popular vote and equalizing with the Government's seven corporations. Before the election, the PNM had controlled eight, whilst the UNC had controlled six corporations.

Political observers and pundits claim that election fever has begun with the projected General Election to be called within the year, and the Tobago House of Assembly vote set for January 2021.

Trinidad's President warns MPs about escalating crime, rising unemployment and high food prices

Trinidad and Tobago's President **Her Excellency Paula-Mae Weekes** has warned Members of Parliament of escalating crime, food prices and unemployment as she delivered the Speech from the Throne, the first in several years. She underscored her concerns as she addressed the re-opening of the Red House, the seat of Parliament for over a century.

The President told an overflowing Assembly of MPs, Senators, senior government officials, diplomats and distinguished officials in the local community on Friday 24 January 2020, that while MPs and others dabble in semantics as to whether Trinidad and Tobago is a failed state or is in a crime crisis, citizens are murdered at an alarming rate. *"They lack opportunities for employment or are losing their jobs. Food prices are spiraling beyond the reach of many. More and more of our children are falling into the at-risk category. Citizens are entitled to look to you for, and demand of you, solutions to alleviate their pain"* she said, adding that citizens want MPs to work together for their good.

The President continued: *"Even the most desperate understand the nature of politics, and that some degree of toeing the party line, posturing, old talk and picong, come with the territory. But at the end of the day, fidelity to the people - our vulnerable women, our defenceless children, our angry young men - must be the primary and paramount concern of Parliamentarians. This morning, I assume the role of emissary, bringing to Parliament a message from the citizens of Trinidad and Tobago who have entrusted to us the solemn responsibility to make such laws as would enable them to live secure, productive, gratifying and peaceful lives. Law and order, truth and justice, morality and decency, these are the values which should be associated with our Parliament."*

The President added that conversely, if acrimony, contempt and divisiveness is the example we set, you cannot be surprised when these attitudes and behaviours are replicated on the nation's roads, in our schools and homes and on social media.

"Citizens have a role to play towards their own well-being and that of the nation, yet also look to Parliament to lead the way, provide avenues for improvement and model desirable conduct." She said that Parliament has awesome power and citizens are entitled to expect MPs to work together.

Trinidad and Tobago is expecting its 12th Parliament to be return by election by September 2020.

In its 2019 Winter Session, the Parliament of India passed the Citizenship (Amendment) Bill, 2019 amending the *Citizenship Act, 1955* which provides the grounds for acquiring Indian citizenship. The Bill was passed by Lok Sabha on 9 December 2019 by 311 to 80 votes after about a seven and half hour long debate. The Rajya Sabha where the ruling party does not enjoy majority passed it on 11 December 2019 by 125 to 105 votes. The Bill received Presidential assent on 12 December 2019.

Illegal migrants who enter India without valid travel documents, like a passport and visa, or enter with valid documents, but stay beyond the permitted time period are prohibited from acquiring Indian citizenship. Such persons may be imprisoned or deported under the *Foreigners Act, 1946* and the *Passport (Entry into India) Act, 1920*. These Acts empower the central government to regulate the entry, exit and residence of foreigners within India. The central government had issued notifications in 2015 and 2016, exempting certain groups of illegal migrants from provisions of the 1946 and the 1920 Acts. The Citizenship (Amendment) Bill, 2019 seeks to make illegal migrants who are Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, who were forced or compelled to seek shelter in India due to persecution on the ground of religion eligible for Indian citizenship. The cutoff date is 31 December 2014. These illegal migrants will not be deported or imprisoned for being in India without valid documents. The Bill exempts certain tribal areas included in the Sixth Schedule of the Constitution and those falling under the Inner Line Permit Regime in the North Eastern States. Critics of the law oppose the Act for making religion a test of citizenship. A number of petitions have been filed in the Supreme Court of India questioning the validity of the law.

Earlier a similar Bill seeking to make illegal migrants belonging to these six communities from three countries eligible for citizenship had been introduced in Lok Sabha in 2016. A Joint Parliamentary Committee had examined the Bill and submitted its report on 7 January 2019. The Bill was passed by Lok Sabha on 8 January 2019 but lapsed with the dissolution of the 16th Lok Sabha.

The Union Home Minister **Shri Amit Shah** sought the leave of the Lok Sabha on 9

INDIA PARLIAMENT AMENDS THE CITIZENSHIP ACT

December 2019 to introduce the Bill. The Speaker of Lok Sabha, **Shri Om Birla** allowed several opposition Members to make submissions and seek clarifications at the introduction stage. The Home Minister replied to the clarificatory questions. After a division of votes, the motion was adopted, and the Bill was introduced.

Moving the motion for consideration of the Bill, **Shri Amit Shah** said the Bill will enable millions of people to get rid of their distressed life and become citizens of India. The government stands by the spirit of the Constitution that nobody should be discriminated on the basis of religion or creed and no one's rights should be violated. He said India has been giving citizenship to people coming from outside from time to time. The Bill doesn't discriminate with anyone; it is for giving rights to someone and not for snatching someone's rights.

Initiating the debate, **Shri Manish Tewari** (INC) termed the Bill unconstitutional as it violates the Preamble, Fundamental Rights and the Basic Structure of the Constitution of India. The Bill completely fails on the four

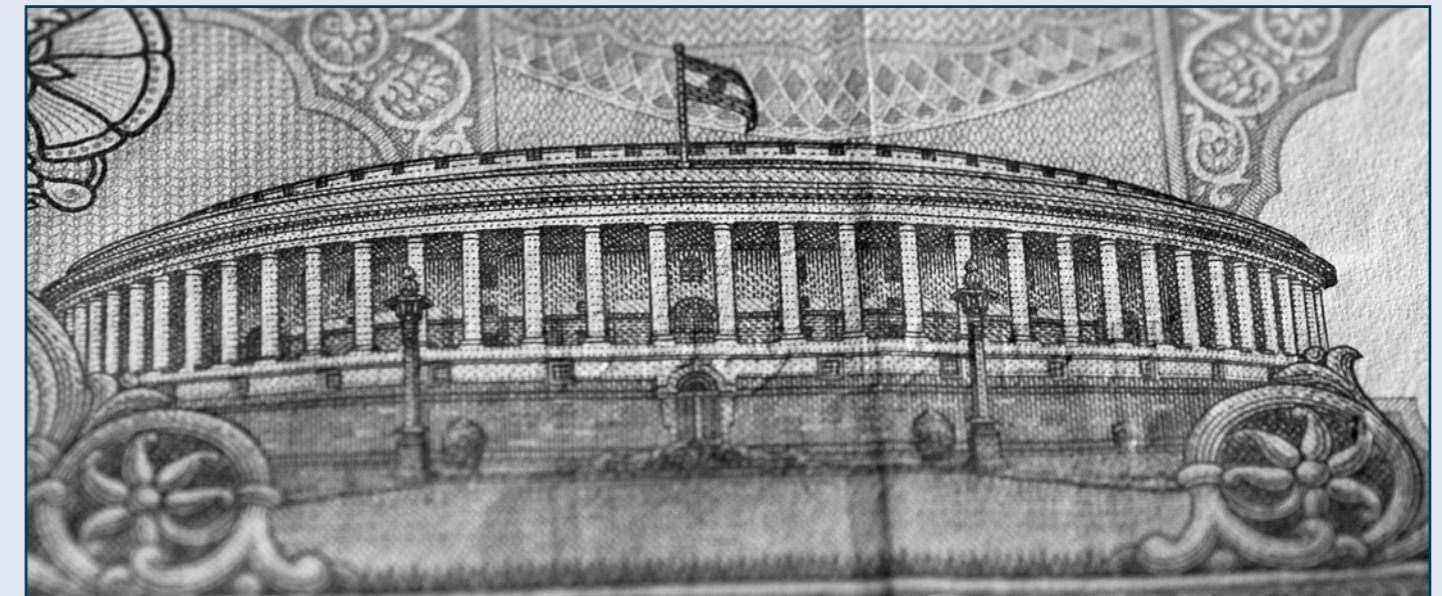
norms of enacting any law that it should be equitable, just, fair and non-discriminatory. There should be a holistic refugee Bill that goes beyond religious considerations.

Shri Rajendra Agrawal (BJP) believed such a law should have been enacted long before to give citizenship to persecuted people belonging to certain communities. **Shri Dayanidhi Maran** (DMK) argued that the government is preoccupied with Pakistan and Bangladesh and is not taking note of the Sri Lankans applying for citizenship. **Shri Abhishek Banerjee** (AITC) said the Bill is immoral, unethical and unconstitutional and accused the government of dividing India on the lines of caste, creed, religion, race and community. **Shri P. V. Midhun Reddy** (YSR Congress) while supporting Bill asked the government to proceed with caution. The Bill does not include Muslims from Afghanistan, Pakistan and Bangladesh but even in these Muslim majority countries, there are sects who are in minority like Bohras and Ahmadis and they should also be treated at par.

The Shiv Sena MP **Shri Vinayak Bhauroo Raut** wanted to know the number of refugees proposed to be given citizenship and the areas in which they are going to be settled without harming the interests of the original residents living there. **Shri Rajiv Ranjan Singh** (JD-U) said his party supports the Bill as it is in the interest of secularism. **Smt. Sarmistha Sethi** (BJD) asked the government to include Sri Lanka along with Bangladesh, Pakistan and Afghanistan and also to dispel the apprehensions of Muslim community as they have been left out of the purview of the Bill. **Shri Afzal Ansari** (BSP) termed the Bill divisive and un-constitutional. **Smt. Supriya Sadanand Sule** (INC) said the Bill does not stand on the ground of equality as it leaves out some from its purview. She wanted to know the reasons for leaving out Nepal, Sri Lanka and Myanmar and selectively allowing people from certain countries. **Shri Nama Nageswara Rao** (TRS) opposed the Bill as the Bill proposes to grant citizenship on the basis of religion which is against the core value of the

Constitution. **Dr S. T. Hasan** (SP) said there is apprehension among the Muslims that they may be victimized.

Shri Chirag Kumar Paswan (LJSP) claimed that the Bill is not against secularism and said the Bill is not about the minorities of India but about the people of minority communities coming from Afghanistan, Pakistan and Bangladesh. While **Shri P.K. Kunhalikutty** (IUML) opposed the Bill calling it discriminatory and divisive, **Shri S. Venkatesan** (CPI-M) said a secular country cannot provide citizenship on the basis of religion. **Shri Adhir Ranjan Chowdhury** (INC) said the protest is not because the government has brought the Bill to provide shelter to religiously persecuted community but because of the criteria of religion it has adopted for giving citizenship. **Smt. Meenakashi Lekhi** (BJP) said India does not indulge in religious persecution and special regime has been created to cover the illegal migrants from Pakistan, Bangladesh and Afghanistan who neither get registered under registration process due to lack of documents



nor can they be covered under naturalization process as their visas have expired. **Shri Asaduddin Owaisi** (AIMEM) opposed the Bill as it is discriminatory against the Muslims and a conspiracy to make Muslim migrants stateless. He wanted to know the state-wise number of persons who are going to be given citizenship. **Shri Sukhbir Singh Badal** (SAD) said the Bill is going to give justice and protect a large number of people from minority communities who were forced to flee Pakistan and Afghanistan due to religious persecution and who have been living in India for a number of years without citizenship. **Shri Gaurav Gogoi** (INC) said the Bill is directly associated with the National Register of Citizenship (NRC) and 1.9 million people have been

devised from NRC in Assam, even though most of them have proved their Indian citizenship. The Government should revise the NRC first.

Shri Dilip Ghosh (BJP) requested the Members support the Bill. **Shri K. Subbarayan** (CPI) said the Bill intends to isolate Muslims and divide Indians on the basis of religion. **Shri M. Badruddin Ajmal** (AIUDF) called the Bill a 'divide and rule' Bill, as it leaves out Muslim immigrants from citizenship. He wanted to know the fate of 1.9 million persons left out from NRC in Assam. **Smt. Locket Chatterjee** (BJP) pressed for passing the Bill at the earliest as it will give a lifeline to thousands of refugees. **Shri Hanuman Beniwal** (RLP) welcomed the Bill as it seeks to grant Indian citizenship to persecuted minorities from Pakistan, Bangladesh and Afghanistan.

Shri N. K. Premchandran (RSP) opposed the Bill as it is contrary to the ideals of secularism and pluralism. He



said there is no rationale in differentiating illegal migrants on the basis of religion and it would have been appropriate if the Bill had used the term 'persecuted minorities' instead of listing out non-Muslim minorities. **Shri Indra Hang Subba** (SKM) was against implementation of the Bill in Sikkim as citizenship of the Sikkimese Indians is defined by the Sikkim Subjects Regulation, 1961. **Shri Tokheho Yepthomi** (NDPP) thanked the government for exempting Nagaland State from the purview of the amendment. **Shri C. Lalrosanga** (MNF) supported the Bill and also thanked the central government for having exempted Mizoram and other States of the North-East from the ambit of the Bill. **Dr Lorho Pfoze** (NPP) said people of Manipur are feeling assured after the State was brought within the purview of Inner Line Permit. **Shri Naba Kumar Sarania** (Independent) feared that the Bill will create more problems for the people of Assam because of the presence of a large number

of immigrants there and ask for bringing Assam under the Inner Line Permit regime. **Kumari Agatha K. Sangma** (NPP) supporting the Bill also requested the government to exempt the entire North-East from the Bill. **Shri Shankar Lalwani** (BJP) said today is a historic day for the religious minorities who have come from Pakistan, Bangladesh and Afghanistan. **Shri Pradyut Bordoloi** (INC) cautioned that the Bill if passed then it may push Assam, along with the North-East, into an era of uncertainly and the unabated influx and migration may erode the identity of Assamese people. **Shri Shantanu Thakur** (BJP) said opposition parties should not oppose the Bill for politics and look at the issue from the human angle.

Shri Thomas Chazhikadan (Kerala Congress-M) wanted to know why persons from only three neighbouring countries have been included on the grounds of religion while excluding Myanmar and Sri Lanka. **Shri Dilip Saikia** (BJP) claimed the Bill will prove to be

a milestone for the people of Assam in the days to come. **Dr Thol Thirumaavalavan** (VCK) criticized the government for excluding Muslims and wanted to know why the government has not come forward to give citizenship to Sri Lankan Tamils. **Shri Bhagwant Mann** (AAP) said the Bill is in clear violation of the Constitution of India. **Shri Pallab Lochan Das** (BJP) thanked the Home Minister for his efforts to redress the apprehensions of the North-Eastern States. **Shri Bhartruhari Mahtab** (BJD) asked the government to explain the efforts made by successive governments to put in place a structured and robust migration refugee policy. **Shri Saumitra Khan** (BJP) said a large number of Bengalis have been waiting for the Bill to be passed as it will give them the right to live with dignity.

Adv. A.M. Arif (CPI-M) alleged the government is trying to divert people's attention from the impact of economic slowdown by bringing a controversial Bill. **Shri E. T. Mohammed Basheer** (IUML)

said the Bill if passed will go against many important provisions of the Constitution. **Dr Rajdeep Roy** (BJP) claimed Indian leaders have always made efforts to ensure the safety and security of minority communities in India. **Dr R. K. Ranjan** (BJP) thanked the Prime Minister and Home Minister for removing the apprehensions of the people of the State as it is under stress due to illegal migrants. **Dr Shashi Tharoor** (INC) said the Bill is not just an affront to the basic tenets of equality and religious non-discrimination but also an all-out assault on the very idea of India that the forefathers gave their lives for during the freedom struggle. **Shri Raju Bista** (BJP) thanked the Home Minister for understanding the concerns of Manipur.

Replying to the debate, **Shri Amit Shah** said the Bill seeks to end the agony of millions of refugees who are subjected to persecution and leading a pitiable life. This Bill does not violate *Article 14* which places all people equally before law. There is no discrimination against Muslims in India and Bill is not in any way related to Muslims of this country. He assured the minority communities the government is committed to give security, equality and equal rights to all. Whenever there is any intervention about the citizenship, it has been done to solve a specific problem and this particular Bill is for the religious minorities from Pakistan, Afghanistan and Bangladesh where Muslims are not in minority. The Bill is to give citizenship to religious minorities who came from Bangladesh, Pakistan and Afghanistan; therefore, the question of China, Nepal and Sri Lanka does not arise, said the Home Minister.

THIRD READING: INDIA

The Prohibition of Electronic Cigarettes (Production, Manufacture, Import, Export, Transport, Sale distribution, storage and Advertisement) Bill, 2019.

E-cigarettes are electronic devices that heat a substance, with or without nicotine and flavors to create an aerosol for inhalation which a user can inhale like the action of smoking. These include all forms of Electronic Nicotine Delivery Systems, Heat Not Burn products, e-Hookahs and the like devices. The global community is concerned about the potential impact of these new products on individual and public health. Due to their sleek and attractive design, use of flavours that mask the smell and ease of concealment, they had grown tremendously in popularity especially among the younger generation. It is not yet established that e-cigarettes are safer than traditional cigarettes and the harmful effects of e-cigarette use are now emerging across the world. Available scientific evidence indicates that use of e-cigarettes are hazardous for an active as well as a passive user, e-cigarette solutions and emissions are known to contain harmful chemicals which are hazardous and some of whom considered to be toxicants.

The Government constituted three sub-groups of experts to recommend measures to control the sale, supply, import, export, manufacturing and trade of e-cigarettes under the prevailing legislative framework, but they had recommended to prohibit Electronic Nicotine Delivery Systems. The World Health Organisation – Framework Convention on Tobacco Control, 2003 to which India is a Party, provides update on the evidence of the health impact of Electronic Nicotine Delivery Systems, impact on tobacco control efforts, and health risks to non-users from exposure to their emissions. It also urges the Parties to restrict or prohibit, as appropriate, the manufacture, importation, exportation, distribution, presentation, sale and use of the Electronic Nicotine Delivery System as appropriate to their context.

The Indian Council of Medical Research had issued a White paper on Electronic Nicotine Delivery systems and had also recommended a complete ban on e-cigarettes and other Electronic Nicotine Delivery Systems based on currently available scientific evidence. The International Association for the Study of Lung Cancer also did not recommend the use of e-cigarettes for treating nicotine dependence even in cancer patients due to the absence of sufficient evidence on their efficacy and safety.

In view of the above recommendations and in

the overall interest of public health as envisaged under *Article 47* of the Constitution which provides that it is the duty of the State to raise the level of nutrition and the standard of living and to impose public health. It was felt expedient that the e-cigarettes and the like devices should be prohibited. However, as the Parliament was not in session and in view of the urgency felt in the matter, the Prohibition of Electronic Cigarettes (Production, Manufacture, Import, Export, Transport, Sale, Distribution, Storage and Advertisement) Ordinance, 2019 was promulgated on the 18 September 2019.

The Government subsequently brought forward the Ordinance replacing Bill to prohibit the production, manufacture, import, export, transport, sale, distribution, storage and advertisement of electronic cigarettes in the interest of public health to protect the people from harm and for matters connected therewith or incidental thereto.

Salient Features of the Bill

- Provision has been made for declaration that it is expedient in the public interest that the Union should take under its control the Electronic Cigarette Industry.
- The production, manufacture, import, export, transport, sale or distribution of electronic cigarettes or advertisement of the use of the said electronic cigarettes had been prohibited.
- Further, the storage of the stock of electronic cigarettes in any premises by the owner or occupier of such premises also had been prohibited.
- The authorized officer had been empowered to enter and search the premises having the packages of electronic cigarettes and seize such stocks or any components thereof.
- Further the Central Government had been empowered to dispose of the stock seized after completion of the proceedings before the court.
- Provision had been for punishment for contravention of provisions of the Act with imprisonment which may extend to one year or with fine which may extend to one lakh rupees or with both.

Debate

The Bill was welcomed as a timely measure by members during discussion in both Houses of Parliament. The Minister in-charge of the Bill at the outset thanked Members for their support to this public welfare measure. The Minister stated that the Bill seeks to prohibit all commercial



operations for the trade of e-cigarettes. There is very strong, definite evidence to suggest that e-cigarettes are harmful for health. These e-cigarettes affect all organs of the system of the body. Their use can lead to heart attacks, hypertension, diabetes, strokes and plethora of diseases of lungs. While it was true that use of e-cigarettes in India was found in only 0.02% of the population, it cannot be assumed that the problem is not growing. Regulation is not enough. A complete ban was felt absolutely necessary. Use of these products does not leave any foul odour generally associated with cigarette smoking. The nation cannot afford the new form of nicotine and psychoactive substances addiction. The Government had been continuously working to ensure that relentless fight against harmful effect of tobacco is also on. India has a young demography and there is concern regarding the impact of e-cigarettes on the younger generation. It is possible only at this point of time to ban e-cigarettes before they become too popular.

The Minister finally stated that there are scientifically proven and tested nicotine replacement therapy products. In addition, evidence-based cessation counseling services are provided through Tobacco Cessation Centers, Quit-Line Services and in Cessation Programme. There is a need to go to the

extreme to actually ensure that the tobacco menace in the country is curbed, eliminated and eradicated and also strength world-wide fight against tobacco.

The Bill was passed by the Lok Sabha on 27 November 2019. The Bill as passed by both Houses of Parliament was assented to by the President of India on 5 December 2019.

The Jallianwala Bagh National Memorial (Amendment) Bill, 2019

The *Jallianwala Bagh National Memorial Act, 1951* was enacted to provide for the erection and management of a National Memorial to perpetuate the memory of those killed or wounded on the 13 April 1919, in Jallianwala Bagh, Amritsar. The Act provides for a Trust for the erection and management of the Memorial and also provided for composition of the Trust with certain Trustees for life.

Over a period of time, with the passing away of Trustees appointed for life, the situation changed significantly, and the Government did not have proper representation on the Trust. Therefore with a view to fill up vacancies caused on account of passing away of the Trustees for life, the Act was amended in the year of 2006, *inter alia*, to change the composition of the Trust, to provide for fixed term of five years for nominated Trustee and for account and audit of the Trust, etc.

At present, in the composition of the Trust, certain inconsistencies had been noticed. There is a provision to make a party a specific Trustee and for the Leader of Opposition in the Lok Sabha as one of Trustees. The term of nominated Trustees is five years and there is no provision in the Act to terminate a nominated Trustee before the expiry of their term. In view of the absence of designated Leader of Opposition in the Lok Sabha and Trustees being party specific, it had been felt necessary to amend the said Act to make it apolitical and also to provide for termination of nominated Trustees before the expiry of their term.

In view of the above, the Jallianwala Bagh National Memorial (Amendment) Bill, 2019 was brought forward. In the Bill, the words '*the President of the Indian National Congress*' as a Trustee was deleted. Further provision has been made to the effect that in place of '*the Leader of Opposition in the Lok Sabha*,' '*the Leader of Opposition*' as such in the House of the People or where there is no such Leader of Opposition, then, the Leader of the single largest Opposition Party in the House has been made '*a Trustee*'.

The Central Government has been conferred upon the power to terminate the term of a nominated trustee before the expiry of the period of his term.

Debate

During discussion on the Bill in both Houses of Parliament, the Minister in charge of the Bill and all Members while expressing their views paid tributes and expressed gratitude to the martyrs.

The Bill was passed by Lok Sabha on 2 August 2019 and by Rajya Sabha on 19 November 2019. The Bill as passed by both Houses of Parliament was assented to by the President of India on 5 December 2019.

The National Institute of Design (Amendment) Bill, 2019

The *National Institute of Design Act, 2014* was enacted to declare the National Institute of Design, Ahmedabad to be an institution of national importance for the promotion of quality and excellence in education, research and training in all disciplines relating to design.

In pursuance of the National Design Policy and to raise the design education to global standard of excellence in all regions of India, the Government of India set up four new National Institutes of Design in the States of Andhra Pradesh, Madhya Pradesh, Assam and Haryana, as societies under the *Societies Registration Act, 1860*. These institutes, however, did not have the authority to grant degree, diploma and other academic distinctions. Therefore, a need was felt to give them statutory status so as to ensure the maintenance of similar standards and quality of education in all areas or disciplines relating to design, as the National Institute of Design, Ahmedabad. It was accordingly proposed to declare the aforesaid Institutes as institutions of national importance and to confer power on them to grant degree, diploma and other academic distinctions.

The Government accordingly brought forward the National Institute of Design (Amendment) Bill, 2019 to provide for the following: -

- (a) to amend section 2 of the Parent Act, so as to declare the National Institutes of Design in the States of Andhra Pradesh, Madhya Pradesh, Assam and Haryana, as institutions of national importance;
- (b) to substitute section 4 of the Parent Act so as to provide for incorporation of each of the aforesaid institutes;
- (c) to make consequential amendments to various sections of the said Act;
- (d) to amend section 27 of the said Act so as to designate the post of Principal Designer instead of the Senior Designer, as equivalent to a Professor.

Debate

The Amending Bill was met with a broad agreement during discussions in both Houses of Parliament. The Minister in charge of the Bill in his reply *inter alia* stated that the National Institute of Design (Amendment) Bill, 2019 sought to give four design institutes the status of national importance, just like the original Bill proposed to do with National Institute of Design, Ahmedabad in Gujarat. These four design institutes, which are situated in Madhya Pradesh, Assam, Haryana and Andhra Pradesh would function as autonomous institutes. This was also proposed by the Standing Committee on Commerce in 2013 that these institutes would also be able to grant degrees and diplomas to students pursuing academic courses there.

The Government recognised the need for this much required link between design and industry. The Bill would serve as a nucleus for interacting between academia and industry. India has a large number of folk designs, tribal designs and classical designs. In order to preserve such art forms and develop them an immediate intervention had been felt to make these art forms a part of the curriculum in the National School of Design. Further, marketing these beautifully designed products to the world, in the domestic or global markets, would directly benefit the local artisans. As regards the constitution of the Governing Council of these institutes the Minister proposed that the Ministry of Tribal Affairs should be also given a representation in the Council. It could be a member of the TRIFED, the body responsible for socio-economic development of tribal people by way of marketing development of the tribal products.

A number of views were expressed during the participative discussion on the Amending Bill in both Houses of Parliament including.

- There is an early need for making functional the proposed new National Institutes of Design (NID) so that a lot more students can benefit. The fee in the NID is ranging from Rs.1 Lakh to Rs.3 Lakh or Rs.4 Lakh. Concession has been sought for the people who cannot afford this kind of fees; such a more will prove to be of immense benefit for the needy.
- Happiness was expressed that more youngsters of the country would be getting

THIRD READING: INDIA

more opportunities, especially in the field of design.

- The Chairperson of NIDs must be an eminent academician, scientist, technologist, professional or industrialist. There is need for reservation to the SC, ST and other Backward class students.
 - Through the Bill, various new opportunities would be created for North-Eastern, Southern and Western states of the country. It would add value to the skill of rural people of the country including farmers and people from SC and ST communities.
 - Provision be made for providing scholarship to the women, the poor, the SCs and the STs.
 - The Government needs to study and research the country's own indigenous handicrafts so that these are brought into the ambit of the courses that are provided in national institutes. Also greater attention needs to be paid to the design of the country's crafts industry because without a thriving craft industry it would not be possible for the country to show case to the world and export India's ancient traditional craft with better quality and better design.
 - The Indians had proved that given the right training and environment; it would not be possible to produce works of arts that are unmatched in design across the world. There is a need to associate Make In India, Start-up India and Digital India with an up-skilling design curriculum.
 - The Minister while replying to the discussion *inter alia* at the outset expressed his gratefulness to all the Members who had participated actively in the discussion. The Minister stated that only way of legislation that the Parliament can declare any institute as an institute of national importance. He assured the newly proposed institutes would have the same standards as those of the NID, Ahmadabad who is a world class institute.
 - The Government also wants to make NIDs a hub of exports and outsourcing of design and for preparation of platform for creative design and development.
- The Amending Bill was passed by Lok Sabha on 26 November 2019 and by Rajya Sabha on 6 August 2019. The Bill as passed by both Houses of Parliament was assented to by the President of India on 29 November 2019.

CPA Patron, Officers, Executive Committee, Regional Representatives, Commonwealth Women Parliamentarians (CWP) Steering Committee and CPA Regional Secretaries



PATRON:
Her Majesty Queen Elizabeth II
Head of the Commonwealth

VICE-PATRON:
Vacant (Canada Federal)

CPA Executive Committee

Executive Committee Members' dates of membership are indicated below each name.
Correct at time of printing. *Terms extended as no CPA General Assembly held in 2018 and 2020.

Officers

PRESIDENT: (2019-2021)*:
Vacant (Canada Federal)

VICE-PRESIDENT:
(2019-2021)*:
Rt Hon. Aaron Mike Oquaye, MP, Speaker of the Parliament of Ghana

CHAIRPERSON OF THE EXECUTIVE COMMITTEE
(2017-2021)*:
Hon. Emilia Monjowa Lifaka, MP
Deputy Speaker, Cameroon

VICE-CHAIRPERSON
(2019-2021)*:
Hon. John Ajaka, MLC
President of the Legislative Council, New South Wales.
*Regional Representative, Australia Region (2016-2021)**

TREASURER (2019-2022):
Hon. Datuk Shamsul Iskander Md. Akin, MP (Malaysia)

COMMONWEALTH WOMEN PARLIAMENTARIANS (CWP) CHAIRPERSON (2019-2022):
Hon. Shandana Gulzar Khan, MNA (Pakistan)

CPA SMALL BRANCHES CHAIRPERSON
(2019-2022):
Hon. Niki Rattle, Speaker of the Parliament of the Cook Islands

The CPA Coordinating Committee comprises the CPA Chairperson, Vice-Chairperson, Treasurer, CPA Small Branches Chairperson and Commonwealth Women Parliamentarians (CWP) Chairperson.

Regional Representatives

AFRICA

Hon. Bernard Songa Sibalatani, MP, Vice-Chairperson of the National Council, Namibia (2016-2021)*

Hon. Lazarous Chungu Bwalya, MP, Zambia (2016-2021)*

Hon. Dr Makali Mulu, MP
Kenya (2017-2021)*

Rt Hon. Sefhiri Enoch Motanyane, MP, Speaker of the National Assembly, Lesotho (2017-2021)*

Hon. Mensah Bonsu, MP
Ghana, (2019-2022)

Rt Hon. Dr Abass Bundu, MP
Speaker of the Parliament of Sierra Leone, (2019-2022)

ASIA

Hon. Dr Fehmida Mirza, MP
Pakistan, (2016-2021)*

Hon. Dr Lal Chand Ukrani, MPA
Sindh, (2017-2021)*

Hon. Karu Jayasuriya, MP
Speaker of Parliament Sri Lanka, (2019-2022)

**Executive Committee Members' terms extended as no CPA General Assembly held in 2018 and 2020.*

AUSTRALIA

Hon. John Ajaka, MLC, President of the Legislative Council, New South Wales, (2016-2021)*, *Also CPA Vice-Chairperson.*

Hon. Bruce Atkinson, MLC
Victoria, (2017-2021)*

Senator Hon. Scott Ryan,
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Australia Federal, (2019-2022)

BRITISH ISLANDS AND MEDITERRANEAN

Hon. Stuart McMillan, MSP
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Hon. Leona Roberts, MLA
Falkland Islands, (2017-2021)*

Hon. Ian Liddell-Grainger, MP
United Kingdom, (2019-2022)

CANADA

Hon. François Paradis, MNA,
Québec, (2016-2021)* *To complete term started by other Member.*

Hon. Kevin Murphy, MHA
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Hon. Bridgid Annisette-George, MP, Speaker of the House, Trinidad & Tobago, (2017-2021)*

Hon. Andy Glenn Daniel, MP
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Hon. Dwayne Taylor, MHA,
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INDIA

Shri Premchand Aggarwal, MLA
Speaker of Legislative Assembly, Uttarakhand, (2016-2021)*
To complete term started by other Member.

Shri Hitendra Goswami, MLA
Speaker of the Legislative Assembly, Assam, (2017-2021)*

Shri Anurag Sharma, MP, Lok Sabha, India Union, (2019-2022)

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Hon. Clayton Mitchell, MP
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Hon. Francesca Semoso, MHR
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Hon. Ratu Epeli Nailatikau
Speaker of Parliament of Fiji (2019-2022)

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CPA SMALL BRANCHES CHAIRPERSON
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AFRICA
Hon. Gervais Henrie, MNA
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Speaker of the Legislative Assembly, Australian Capital Territory (2019-2021)

BRITISH ISLANDS AND MEDITERRANEAN
Deputy Lyndon Trott
Guernsey (2019-2020)

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Hon. W. McKeever Bush, OBE, JP, Speaker of the Legislative Assembly, Cayman Islands, (2019-2020)
Also: Vice-Chairperson of the CPA Small Branches.

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Hon. Tofa Nafotoa Talaimanu Ketu, MP, Samoa (2019-2022)

SOUTH-EAST ASIA
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The CPA Small Branches Steering Committee comprises the CPA Small Branches Chairperson and seven Members who represent the seven out of the nine Regions of the CPA with Small Branches.

CPA Regional Secretaries

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Mr Steven Kagaigai
Parliament of Tanzania

ASIA
Mr Syed Shamooun Hashmi
Parliament of Pakistan

AUSTRALIA
Ms Alex Cullum
Parliament of Australia

BRITISH ISLANDS & MEDITERRANEAN
Mr Jon Davies
Parliament of the United Kingdom

CPA Headquarters Secretariat

Mr Jarvis Matiya
Acting CPA Secretary-General

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CANADA
Mr Michel Patrice
Parliament of Canada

CARIBBEAN, AMERICAS & ATLANTIC
Mr Pedro E. Eastmond
Parliament of Barbados

INDIA
Smt Snehlata Shrivastava
Parliament of India

PACIFIC
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Parliament of New Zealand

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A full listing of all CPA Branches can be found on pages 78-85 and at: www.cpahq.org

Commonwealth Women Parliamentarians (CWP) Steering Committee

CWP PRESIDENT
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Canada Federal (2019-2021)

CWP CHAIRPERSON
Hon. Shandana Gulzar Khan, MNA, Pakistan (2019-2022)

AFRICA
Hon. Zainab Gimba, MP
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Also CWP Vice-Chairperson (2019-2020)

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New Zealand Parliament (2017-2020)

SOUTH-EAST ASIA
Hon. Alice Lau Kiong Yieng, MP
Malaysia (2019-2022)

CPA Branch Directory

Information correct as provided to CPA Headquarters Secretariat by CPA Branches at time of printing. A full listing of all CPA Branches can be found in the CPA Directory at: www.cpa.org/cpahq/directory. Please email any amendments to editor@cpahq.org.

CPA AFRICA REGION

BOTSWANA

(www.parliament.gov.bw)

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CAMEROON

(www.assnat.cm)

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THE GAMBIA

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GHANA

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Rt Hon. Aaron Mike Oquaye, MP, Speaker of Parliament

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KENYA

(www.parliament.go.ke)

Joint CPA Branch Presidents:

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LESOTHO

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Joint CPA Branch Secretary:

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MALAWI

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MAURITIUS

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NAMIBIA

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The following CPA Branches are currently suspended:

Anambra / Abia / Adamawa / Bauchi / Benue / Cross River / Delta /

Ebonyi / Edo / Ekiti / Enugu / Gombe / Imo / Jigawa / Kaduna / Kano / Katsina / Kebbi / Kogi / Kwara / Nasarawa / Niger / Ogun / Ondo / Osun / Oyo / Plateau / Rivers State / Sokoto / Zamfara

RWANDA

(www.parliament.gov.rw)

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SEYCHELLES

(<http://nationalassembly.sc>)

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SIERRA LEONE

(<http://parliament.gov.sl>)

CPA Branch President:

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CPA Branch Secretary:

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SOUTH AFRICA

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EASTERN CAPE

(www.eclegislature.gov.za)

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CPA Branch Secretary:

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FREE STATE

(www.fsl.gov.za)

CPA Branch President:

Hon. Zanele Sifuba, MPL, Speaker of the Legislature

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GAUTENG

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KWAZULU-NATAL

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LIMPOPO

(www.limpopoleg.gov.za)

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MPUMALANGA

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CPA Branch President:

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NORTH-WEST PROVINCE

(www.nwpl.gov.za)

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NORTHERN CAPE

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ZANZIBAR

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CPA ASIA REGION

BANGLADESH

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(www.senate.gov.pk)

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BALOCHISTAN

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CPA Branch Directory

Information correct as provided to CPA Headquarters Secretariat by CPA Branches at time of printing. A full listing of all CPA Branches can be found in the CPA Directory at: www.cpaq.org/cpaq/directory. Please email any amendments to editor@cpahq.org.

CPA AUSTRALIA REGION

AUSTRALIA FEDERAL

(www.aph.gov.au)
Joint CPA Branch Presidents:
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NEW SOUTH WALES
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CPA Honorary Branch Secretary:
Ms Helen Minnican, Clerk of the Legislative Assembly
CPA Assistant Branch Secretary:
Mr David Blunt, Clerk of Parliaments
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NORTHERN TERRITORY
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QUEENSLAND
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SOUTH AUSTRALIA
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VICTORIA
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NEW BRUNSWICK
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CPA Branch Directory

Information correct as provided to CPA Headquarters Secretariat by CPA Branches at time of printing. A full listing of all CPA Branches can be found in the CPA Directory at: www.cpaq.org/cpaq/directory. Please email any amendments to editor@cpahq.org.

**CPA CARIBBEAN,
AMERICAS AND THE
ATLANTIC REGION**

ANGUILLA

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ANTIGUA AND BARBUDA

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BARBADOS

(www.barbadosparliament.com)

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BELIZE

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BERMUDA

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BRITISH VIRGIN ISLANDS

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CAYMAN ISLANDS

(www.legislativeassembly.ky)

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DOMINICA

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House of Assembly
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GRENADA

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CPA Branch Secretary:
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JAMAICA

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ST KITTS AND NEVIS

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ST LUCIA

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**ST VINCENT AND THE
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TRINIDAD AND TOBAGO

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TURKS AND CAICOS

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CPA INDIA REGION

INDIA UNION

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Shri Om Birla, MP, Speaker of the
Lok Sabha
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ANDHRA PRADESH

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ARUNACHAL PRADESH

(www.arunachalpradesh.gov.in/state-assembly)

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ASSAM

(www.assamassembly.gov.in)

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BIHAR

(www.vidhansabha.bih.nic.in)

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CHHATTISGARH

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DELHI

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Information correct as provided to CPA Headquarters Secretariat by CPA Branches at time of printing. A full listing of all CPA Branches can be found in the CPA Directory at: www.cpahq.org/cpahq/directory. Please email any amendments to editor@cpahq.org.

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