

# TheParliamentarian



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### THE CPA MODEL LAW FOR INDEPENDENT PARLIAMENTS

Based on the important values laid down in the **Latimer House Principles** and the **Doctrine of the Separation of Powers**, the CPA has created a **MODEL LAW FOR INDEPENDENT PARLIAMENTS**.

This draft legislation is aimed at Parliaments to use as a template to create financially and administratively independent institutions. Specifically, the Model Law enables Parliaments to create Parliamentary Service Commissions and to ensure Parliaments across the Commonwealth have the resources they need to function effectively without the risk of executive interference.

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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

Updated as at 24 August 2020

**Please note that due to the COVID-19 (Coronavirus) global pandemic, many events, conferences and activities have been postponed or cancelled. Please check online or email [hq.sec@cpahq.org](mailto:hq.sec@cpahq.org) for the latest information.**

### 2020

#### August

17-18 August 2020	13 <sup>th</sup> Summit of Women Speakers of Parliament, Vienna, Austria (IPU Conference online)
19-21 August 2020	Fifth World Conference of Speakers of Parliament, Vienna, Austria (IPU Conference online)
18-22 August 2020	Mid-Year meeting of the CPA Executive Committee, London/online

#### September

15 September 2020	International Day of Democracy
23-25 September 2020	CPA British Islands and Mediterranean Regional Conference – online meeting

### 2021

August 2021	65 <sup>th</sup> Commonwealth Parliamentary Conference, Halifax, Nova Scotia, Canada
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The following events have been postponed to next year (2021) with final dates to be confirmed:

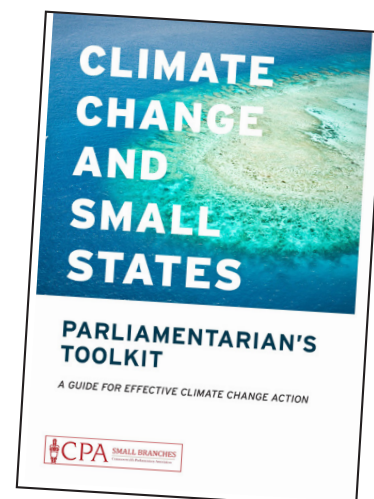
- 51<sup>st</sup> CPA Africa Regional Conference, Abuja, Nigeria
- 49<sup>th</sup> CPA British Islands and Mediterranean Regional Conference, Valletta, Malta
- 58<sup>th</sup> CPA Canada Regional Conference, Toronto, Ontario, Canada
- 45<sup>th</sup> CPA Caribbean, Americas & Atlantic Regional Conference, Providenciales, Turks & Caicos
- 39<sup>th</sup> CPA Pacific and Australia Regional Conference, Kiribati
- CPA Pacific and Australia Region Presiding Officers and Clerks Conference (POCC), Fiji
- Commonwealth Heads of Government Meeting (CHOGM), Kigali, Rwanda including: Commonwealth Youth Forum; Commonwealth Women's Forum; Commonwealth People's Forum; and Commonwealth Business Forum

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](mailto:hq.sec@cpahq.org) in advance of the publication deadline to ensure the calendar is accurate.



### CPA Small Branches Climate Change Toolkit for Parliamentarians

- Strengthening Parliamentarians as effective actors in the climate change agenda.
- Accessible introduction to the key issues facing Legislatures at the frontline of climate change.
- Practical guide for Parliamentarians to further progress at the domestic and international level.



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Updated February 2020



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# UN AT 75: THE COMMONWEALTH AND THE UNITED NATIONS

## The Editor's Note

In 2020, the United Nations is commemorating its 75<sup>th</sup> anniversary, marking the anniversary of the signing of the UN Charter on 26 June 1945. This year, the UN will mark this anniversary on UN Day on 24 October 2020 and through observance ceremonies in New York, with a one-day high-level meeting of the UN General Assembly planned for Monday 21 September 2020 on the theme of '*The Future We Want, the UN We Need: Reaffirming our Collective Commitment to Multilateralism*'.

The United Nations is marking its 75<sup>th</sup> anniversary at a time of great disruption for the world, compounded by an unprecedented global health crisis with severe economic and social impacts. COVID-19 is a stark reminder of the need for cooperation across borders, sectors and generations.

Throughout their shared histories, the relationship between the United Nations and the Commonwealth has been co-operative and the common goals of both organisations has been apparent. The UN Sustainable Development Goals and the Commonwealth Charter have many shared aspirations. There are many global issues that require a response from both organisations including climate change, global inequality, gender equality, justice and human rights, youth engagement, technological development and population growth.

This issue of *The Parliamentarian* marks the 75<sup>th</sup> anniversary of the United Nations and explores the relationship between the Commonwealth and the UN.

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 shares her message celebrating International Day of Parliamentarism in June 2020 and also marks the 75<sup>th</sup> anniversary of the United Nations.

The **Chairperson of the Commonwealth Women Parliamentarians (CWP), Hon. Shandana Gulzar Khan, MNA** (Pakistan), writes about financial inclusivity for women in the Commonwealth and asks is this the ultimate challenge and barrier in the post-COVID-19 world?

The **CPA Small Branches Chairperson, Hon. Niki Rattle**, Speaker of the Parliament of the Cook Islands writes about celebrating the 75<sup>th</sup> anniversary of the United Nations and the recent work of the CPA Small Branches network with UNESCO to highlight global biodiversity policy in Small Island Developing States (SIDS) through a series of webinars.

The new **CPA Secretary-General, Mr Stephen Twigg** in his first View article for *The Parliamentarian* focuses on the United Nations' Sustainable Development Goals (SDGs) and outlines that they are at the heart of the Commonwealth Parliamentary Association's global mission.

The CPA is delighted to publish an article by eminent former diplomat **Sir Peter Marshall** who has worked both with the Commonwealth Secretariat and the United Nations as he examines 75 years of international symbiosis between the Commonwealth and the United Nations.

The **Speaker of the 17<sup>th</sup> Lok Sabha in the Parliament of India, Hon. Shri Om Birla** writes about the impact of the United Nations in Commonwealth countries and in particular, about the relationship between India and the UN.

The **Secretary-General of the Inter-Parliamentary Union (IPU), Mr Martin Chungong** writes about making the United Nations more effective and the need for greater inclusion of Parliamentarians in its decision making and policy processes.

The United Nations Development Programme (UNDP) has carefully focused on the delivery of the UN Sustainable Development Goals (SDGs) in its global work and in their joint article, **Mr Charles Chauvel**, UNDP Global Lead, Inclusive Processes and **Ms Agata Walczak**, UNDP Parliamentary Project Manager examine '*The Future We Want, the UN We Need: Reaffirming our Collective Commitment to Multilateralism*'.

United Kingdom Parliamentarian, **Lord Stewart Wood of Anfield** reflects on the United Nations at 75 and looks at the institution from the perspective of an academic, a Parliamentarian and as the Chair of a UN Association (UNA-UK).

The importance of youth engagement with Parliaments is critical to achieving the United Nations Sustainable Development Goals (SDGs) and the **United Nations Secretary-General's Envoy on Youth, Ms Jayathma Wickramanayake** gives her perspective.

Both the UN and the Commonwealth have highlighted gender equality in their global goals and in this issue of *The Parliamentarian*, **United Nations Under-Secretary-General and Executive Director of UN Women, Phumzile Mlambo-Ngcuka** writes about the power of women's leadership and its importance for a more inclusive and collaborative future.

The future of gender equality and the empowerment of women in the Commonwealth as well as marking UN Women's 10th anniversary and the work of the Commonwealth Women Parliamentarians (CWP) is highlighted in an article by the CPA Headquarters Secretariat's **Ms Bénite Dibateza**.

In addition to celebrating the UN at 75, this issue of *The Parliamentarian* also examines other current issues in the Commonwealth.

The Education portfolio is one of the most important in government. A former Education Minister from Yukon, Canada, **Mr**



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



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The United Nations Headquarters is located in New York, USA in a building designed by a board of architects led by Wallace Harrison and architectural firm Harrison & Abramovitz. It has served as the UN Headquarters since its completion in 1952.



**Patrick Rouble** gives an insight into his experience of the role.

Reforms by the Judiciary have resulted in the decriminalising of parts of the electoral system in India and this is examined by **Mr Vivek K. Agnihotri**, former Secretary-General of Rajya Sabha at the Parliament of India.

In the second of a three-part series for *The Parliamentarian*, Parliamentary Consultant at the Lok Sabha Secretariat at the Parliament of India, **Mr Ravindra Garimella**, looks at the origins and history of some of the parliamentary expressions and practices used in Commonwealth Legislatures and focuses on the different colours used in the architecture of many Commonwealth Parliaments.

CPA news reports in this issue include: the appointment of the new CPA Secretary-General; the Anguilla House of Assembly benefiting from the CPA's first ever virtual post-election seminar; the Parliament of Botswana virtual workshop on effective parliamentary oversight; the launch of CPA Masterclass videos on remote working for MPs; a virtual graduation ceremony for Commonwealth Parliamentarians with McGill University in Canada; the CPA launching its Model Law for Independent Parliaments; promoting biodiversity policies in Small Island Developing States at the CPA Small Branches and UNESCO joint webinars; and the importance of the SDGs highlighted to Commonwealth Scholars.

This issue also features news and reports of Commonwealth Women Parliamentarians (CWP) activities including the CWP Chairperson joining a UN Women Pakistan webinar on supporting women entrepreneurs; the CWP reaffirming its core priority of promoting gender equality in Parliaments as it releases new three-year strategic plan; CWP members from Pakistan, Western

Australia and UK highlight 'shadow pandemic' of domestic abuse; Commonwealth Women Speakers at 13<sup>th</sup> Global Summit of Women Speakers of Parliament; CWP New Zealand supporting multi-Member Bill on FGM that is set to become law and new sculpture project commemorating women MPs at the New Zealand Parliament.

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

The CPA Headquarters Secretariat would also like to thank Dr Jayadev Sahu, Director at the Lok Sabha Secretariat for his dedication and commitment as the parliamentary correspondent for the Parliament of India for *The Parliamentarian* for the last 20 years and for his parliamentary service to the Lok Sabha Secretariat on his retirement. His parliamentary reports and articles about the Parliament of India for the last 20 years have provided a record of events for future generations and a source of interest for other Commonwealth Parliaments and Legislatures who want to share their experiences of parliamentary democracy.

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  
Editor, *The Parliamentarian*  
editor@cpahq.org



# CELEBRATING INTERNATIONAL DAY OF PARLIAMENTARISM AND MARKING THE 75<sup>TH</sup> ANNIVERSARY OF THE UNITED NATIONS

## View from the CPA Chairperson

The International Day of Parliamentarism is celebrated every year on 30 June. The Day was established in 2018 through a United Nations General Assembly Resolution.

Celebrating an international day for Parliamentarians and Parliaments is a unique opportunity for organisations like the Commonwealth Parliamentary Association (CPA). With our membership of over 17,000 Parliamentarians spread across 180 Legislatures, we must use this opportunity to take stock of the importance of parliamentary democracy and its value to our societies and our global community.

I would like to use this important day to focus on adaption and diversity. Adaption was a key theme for our recent Commonwealth Parliamentary Conference held in Uganda in September last year. At that time, over 500 Parliamentarians were able to come together to share ideas, build networks and learn from one another. But now the Commonwealth is facing one of its greatest challenges in tackling the COVID-19 global pandemic.

Parliamentarians are now focusing their minds on creating safe

**“As Parliamentarians, we are the representatives of our communities, and as such, we must speak for all those who might be at a potential disadvantage because of their perceived differences and the negative prejudices of others. Even if we as representatives are not reflective of the diversity of our people, we must as Parliamentarians still speak for all and ensure their views, ideas and knowledge can be voiced in the Chambers of our Parliaments, in the meeting rooms of government departments or on the streets of our constituencies.”**



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

and secure environments for their countries and constituencies. To succeed in this endeavour, Parliamentarians and our Parliaments have had to embrace rapid and uncertain change in the form of technical, social and cultural adaptations; from how we communicate and travel to the ways in which we legislate, represent and scrutinise governments. As such, adapting to new ways of working is essential.

If we are to be adaptive, innovative and have all the tools needed to overcome the challenges we face today and in the future, we must have a diversity of voices and people sharing ideas, building networks and learning from one another. When one voice is stifled, we are all weakened.

Recently, I have been struck by the Black Lives Matter movement that was started in the United States and has now spread across the globe - a movement that at its heart is about tackling racism and division. What this has reinforced in me, is that nobody should be left behind and nobody should be silenced because of the colour of their skin, their gender, age, ethnicity, religion, language, culture, sexuality or abilities.

These values are at the heart of what the Commonwealth stands for. This was reflected in this year's Commonwealth Day theme '*Delivering a Common Future: Connecting, Innovating, Transforming*'. The message is clear; together we are stronger, and together we can overcome our greatest challenges.

Within the CPA, we champion these principles in enabling women and disabled Parliamentarians to work collaboratively through the Commonwealth Women Parliamentarians (CWP) and Commonwealth Parliamentarians with Disabilities (CPwD) networks as well as those from small jurisdictions via the CPA Small Branches network.

As Parliamentarians, we are the representatives of our communities, and as such, we must speak for all those who might be at a potential disadvantage because of their perceived differences and the negative prejudices of others. Even if we as representatives are not reflective of the diversity of our people, we must as Parliamentarians still speak for all and ensure their views, ideas and knowledge can be voiced in the Chambers of our Parliaments, in the meeting rooms of government departments or on the streets of our constituencies. In my view, that is what being a Parliamentarian is for and why we should use this day, not to celebrate ourselves, but to



The United Nations Office at Geneva (UNOG) is the second-largest of the four major office sites of the United Nations. It is located in the Palais des Nations building constructed for the League of Nations between 1929 and 1938 at Geneva in Switzerland, and expanded in the early 1950s and late 1960s.

remind us what our duties are as Parliamentarians and to those we serve.

As the United Nations celebrates its 75<sup>th</sup> anniversary and we mark the UN's many successes, we are also reminded of the great disruption for the world at present, compounded by an unprecedented global health crisis with severe economic and social

impacts and the role that international organisations can play. We must ensure that we continue the international dialogue, and when we can come together again, that we discuss our priorities as a global family and how we can build a better future for all.

The global COVID-19 pandemic is a clear reminder of the need for international cooperation across borders, sectors and even generations. The global response will determine how fast the world recovers, whether the UN's Sustainable Development Goals are achieved, and how well the global community combats the many challenges that we face; from the climate crisis to future pandemics, inequalities in our societies and new forms of violence, and the huge changes in technology and population growth.

The Commonwealth Parliamentary Association encourages the greater engagement of Parliaments and Parliamentarians in UN decision-making processes and in the work of the UN agencies, and the CPA Headquarters Secretariat is further facilitating this through its networks. For example, the Commonwealth Women Parliamentarians (CWP) is working with UN Women in many areas of gender equality and the CPA Small Branches network is partnering with UNESCO's Small Islands and Indigenous Knowledge Section on a number of new initiatives including biodiversity and climate change.

The CPA will continue to promote international partnerships and to support Parliaments and Parliamentarians to play their role in the global dialogue. In many countries, public trust in traditional institutions like Parliaments is in decline and across the world, relations between different countries have been tested. It is clear that the need for collective action is needed more than ever.





# FINANCIAL INCLUSIVITY FOR WOMEN IN THE COMMONWEALTH: THE ULTIMATE CHALLENGE AND BARRIER POST-COVID-19?<sup>1</sup>

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

Financial inclusion refers to efforts to make financial products and services accessible and affordable to all individuals and businesses, regardless of their personal net worth or company size. Financial inclusion strives to remove the barriers that exclude people from participating in the financial sector and using these services to improve their lives. It is also called inclusive finance.<sup>2</sup>

Globally, it is not lack of intention or legislation but often social norms that constrain women's capacity to access and meaningfully use financial services. Greater access to financial services for women is considered a key enabler for 'Gender Equality and Women Empowerment', i.e. SDG 5, one of the 17 Sustainable Development Goals (SDGs) and Agenda 2030 of the United Nations.

The momentum for financial inclusion of women is increasing rapidly; the World Bank's 2018 Global Findex database reveals that although access to financial services for women has sharply increased since 2011, the financial inclusion gender gap in developing economies is still unchanged. It is also clear that full financial inclusion will not be possible without including women into the formal financial system.

### The Importance of Gender Equality

Gender equality is both the 'right thing' and the 'smart thing' for all countries. In addition, the Commonwealth has been a strong advocate through its Declaration on Gender Equality and Plan of Action on Gender Equality and Women's Empowerment. The gender gap varies widely across economies and regions among Commonwealth countries, the gender gap (with women being less likely to have accounts than men) was the highest for India, Pakistan, Trinidad and Tobago, Mauritius and Uganda. There is no significant gender gap in account penetration in some Commonwealth countries like New Zealand and Singapore.<sup>3</sup>

But the question arises as to why financial inclusivity is important for women in the Commonwealth? According to research by the McKinsey Global Institute advancing gender equality could unlock US\$12 trillion of incremental GDP in 2025 with financial, and particularly digital inclusion, being among the key enablers for making progress on gender equality.<sup>4</sup> Moreover, according to the World Bank, advancing gender equality by addressing the gender wage gap globally could unlock US\$160 in lifetime earnings.<sup>5</sup>

*Do these considerations still remain valid in the times of COVID-19 as the pandemic remains and will remain a significant health cost for so many in the Commonwealth?*

Financial literature shows that closing the gender gap in financial inclusion could have positive effects in smoothing consumption, providing security, increasing saving and investment rates, and facilitating new business opportunities. Yet, despite dramatic successes in digitizing basic financial products in some parts of the world, women still face significant hurdles to accessing and using digital financial services



**Commonwealth Women  
Parliamentarians (CWP)  
Chairperson, Hon. Shandana  
Gulzar Khan, MNA (Pakistan)**

particularly when mobile phone ownership of women is low.<sup>6</sup>

Financial inclusion is important for women to access loans, credit and to make transactions, but it is also essential to save money and build assets in a safe place, which can in turn take them out of poverty. Savings interventions increase women's business earnings. Women seek savings vehicles, and use personal savings to invest in their businesses.<sup>7</sup> Evidence on savings also shows impacts on women empowerment<sup>8</sup> and positive household welfare impacts.<sup>9</sup> Studies show that even poor women are eager to save if given appealing interest rates, a conveniently located facility, and flexible accounts - with bankers in Indonesia, rural Mexico and South Asia finding that

convenience generally beats interest rates.<sup>10</sup>

In short, closing the gender gap in financial inclusion can act as an enabler of countries' development, economic growth, inequality reduction, business evolution, and social inclusion. However, greater women's financial inclusion requires a more gender inclusive financial system that addresses the specific demand - and supply-side barriers women face as well as an inclusive regulatory environment.<sup>11</sup>

### Some positive developments in the Commonwealth<sup>12</sup>

Africa is now the world's second fastest growing region after Asia, with annual GDP growth rates in excess of 5% over the last decade. However, despite the good economic growth shown, this has not translated into shared prosperity and better livelihoods for the majority of the population. Growth has to be inclusive to be socially and politically sustainable.

The recent growth of mobile money (including forms of 'branchless banking') and digital financial services have allowed millions of people who are otherwise excluded from the formal financial system to perform financial transactions relatively cheaply, securely, and reliably. Mobile money has achieved the broadest success in Sub-Saharan Africa, where 16% of adults report having used a mobile phone in the past 12 months to pay bills or send or receive money.

In Kenya, where the pioneer M-Pesa service was commercially launched in 2007, 68% of adults report using mobile money and M-Shwari, which in 2015 boasted having some 10 million account holders. In East Africa, more than 35% of adults report using mobile money, and commercial banks such as Equity Bank (Kenya) Limited, Co-operative Bank of Kenya and Kenya Commercial Bank (KCB) are also very active players in this market.

### Dimensions of women's financial inclusion

What are then three key pillars of this magic pill which will enable millions of families across the Commonwealth to work their way out of poverty and the recent pandemic-influenced difficulties affecting both finances and greater access to health services?



1. **Access:** This refers to the availability of formal financial products and services (savings, credit, insurance, mobile banking, etc.) and includes the physical proximity of these services, as well as their affordability.
2. **Usage:** This is the extent to which women make use of the products and services on offer, the rate and frequency of use, and the length of time that they continue to use the service.
3. **Quality:** Have the financial products and services been innovatively developed to meet the specific needs of the wide range of women clients, from entrepreneurs to farmers, and from women in salaried employment to poor women or women engaged in the informal economy?<sup>13</sup>

#### Barriers and constraints that women face in seeking to access financial products and services<sup>14</sup>

The second and third parts of this article will focus on the strategies and practical results achieved by nations in the Commonwealth before and more importantly, during COVID-19 for improving financial inclusion. However, for any framework, these must be derived from addressing country-specific constraints and gaps. The following is a brief outline of these constraints.

**Legal and regulatory barriers:** Legal obstacles include inheritance laws that disfavor daughters and wives, property rights that fail to protect women's ownership and formal restrictions on women's ability to open bank accounts and access credit. Among cultural norms is the requirement that a husband or male family member co-sign a loan. According to the IFC, of 143 countries studied almost 90% have at least one legal difference between women and men that restricts women's economic opportunities. Among these economies, 28 have ten or more legal gaps and in 15 of them, husbands can prevent their wives from accepting jobs.

**Access to education and training:** Less-educated women are less likely to start their own business, and lower levels of education may contribute to lower survival rates among women-owned Micro, Small & Medium Enterprises (MSMEs). Women may have less access to financial literacy, which can make it harder for them to navigate the loan market due to limited or no credit history, incomplete or missing financial statements, limited savings etc.

**Culture and traditions:** Female entrepreneurs might choose to enter less capital-intensive industries that require less debt. Additionally, as women-owned MSMEs tend to be smaller, banks may incur higher administrative costs relative to loan sizes, which reduces the incentive for them to lend to these women. In some countries, women may find it challenging to obtain national identification documents often required for opening an account.

**Lack of collateral:** Overall, women may find it more challenging to provide collateral and personal guarantees and may have weaker credit histories ('reputational collateral'). Husbands' adverse credit histories may also affect women as they might need to repay a husband's debt or could be denied future credit based on the husband's credit history.

**Anticipation of rejection:** Studies show that women may be discouraged from applying for credit because of the anticipation of rejection. The rejection rate for loan applications has tended to be higher for women-owned businesses in the developing world, as for instance, in one Commonwealth member where the rejection rate for loans to women-owned businesses is 2.5 times higher than that for men (Goldman Sachs, 2014).

**Risk aversion:** Women, especially in lower income groups, tend to be more cautious than men about the amount of financing and business risk they are willing to take on.

It is clear that there are many challenges to closing the gender gap in financial inclusion and the current COVID-19 pandemic has certainly increased these challenges. However, it is clear that greater financial inclusion for women can act as an enabler of individual countries' development and it can have an impact on economic growth, the reduction of inequality, greater business development and social inclusion for women.

#### References:

- <sup>1</sup> The Author has relied principally on the research and compilation by Gerry Finnegan in his discussion paper for the Commonwealth Secretariat titled 'Strategies for Women's Financial Inclusion in the Commonwealth'
- <sup>2</sup> <https://www.investopedia.com/terms/f/financial-inclusion.asp>
- <sup>3</sup> World Bank Global Findex 2011
- <sup>4</sup> Strategies for Women's Financial Inclusion in the Commonwealth-Discussion Paper-October 2015- by Gerry Finnegan
- <sup>5</sup> Wodon, Quentin T.; de la Brière, Bénédicte. 2018. Unrealized Potential: The High Cost of Gender Inequality in Earnings. The Cost of Gender Inequality. Washington, DC: World Bank.
- <sup>6</sup> <https://www.finextra.com/blogposting/15148/womens-financial-inclusion-the-paradigm-shift>
- <sup>7</sup> Aldana and Boyd, 2015
- <sup>8</sup> Holloway, et al. 2017; Trivelli and de los Rios, 2014
- <sup>9</sup> Karlan et al. 2016
- <sup>10</sup> Morduch, J., 1999, Trivelli & Montenegro, 2011
- <sup>11</sup> [https://www.g20-insights.org/policy\\_briefs/financial-inclusion-for-women-a-way-forward/](https://www.g20-insights.org/policy_briefs/financial-inclusion-for-women-a-way-forward/)
- <sup>12</sup> Strategies for Women's Financial Inclusion in the Commonwealth-Discussion Paper-October 2015-by Gerry Finnegan
- <sup>13</sup> Strategies for Women's Financial Inclusion in the Commonwealth- Policy Brief-October 2015
- <sup>14</sup> Strategies for Women's Financial Inclusion in the Commonwealth-Discussion Paper-October 2015-by Gerry Finnegan

#### CWP Chairperson speaks about supporting women entrepreneurs at UN Women webinar

The Commonwealth Women Parliamentarians (CWP) Chairperson, Hon, Shandana Gulzar Khan, MLA has spoken about supporting women entrepreneurs and women in leadership positions at a UN Women Pakistan webinar on the 'Impact of COVID-19 on Women's Entrepreneurship: Challenges and Opportunities'. The CWP Chairperson was speaking alongside a number of key speakers from the Asia Region in an event supported by the African Development Bank and the Islamic Development Bank. To view the webinar visit: <https://bit.ly/39fSc6m>.





# CELEBRATING THE 75<sup>TH</sup> ANNIVERSARY OF THE UNITED NATIONS: VIEW FROM THE CPA SMALL BRANCHES

## View from the CPA Small Branches Chairperson

At the celebration of the 75<sup>th</sup> Anniversary of the United Nations Charter this year and as the CPA Small Branches Chairperson, I am honoured on behalf of the CPA Small Branches network to acknowledge, recognise and applaud the significance of the United Nations within the international community, especially among the most vulnerable communities. The UN Charter that was agreed on 26<sup>th</sup> June 1945, that calls for the UN to maintain international peace and security; promote social progress and better standards of life; strengthen international laws as well as to promote human rights, is as relevant today as it was 75 years ago.

The current COVID-19 pandemic has further heightened the absolute need for the UN Charter's fundamental principles to be adhered to, as thousands of lives around the world have been lost and thousands more continue to be threatened. Many of the difficulties adhering to the principles of the UN Charter prior to the pandemic have in many respects been exacerbated to a point



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

**“Coming from a small jurisdiction - the Cook Islands - and in my role as CPA Small Branches Chairperson, I value the work done by the United Nations towards securing the sustainable development of those nations commonly labelled small island developing states (SIDS). Despite being among the smallest nations with the smallest populations, SIDS and other Small Branches are among the most affected by many of the world's most critical challenges, including climate change, economic crisis', and more recently, the COVID-19 pandemic.”**

where those already suffering are falling deeper into despair. If, however, the global pandemic has shown us anything positive, it is of our interconnectedness and ability to communicate and cooperate across, and irrespective of, geography or time-zones – more so than perhaps thought previous possible. It is through these strengths that the United Nations can be a leading force in ensuring that the spirit of collaboration is strengthened as the world overcomes and recovers from the current pandemic.

The 2030 Agenda for Sustainable Development Goals (SDGs) adopted by all United Nations Member States in 2015, provides a plan to address global challenges including poverty, inequality, climate change, environmental degradation, peace and justice. Many of these were also pertinent 75 years ago

on the signing of the UN Charter in San Francisco, USA. Every Branch within the Commonwealth Parliamentary Association, including the CPA Small Branches network, also play a key role in the implementation of the SDGs, both at the national and international level. Significantly, Parliaments can provide crucial oversight towards ensuring governments make the necessary progress in meeting their national and international sustainable development commitments, and that importantly, any actions benefit all levels of society. Parliament also plays a role in ensuring that national budget decisions and the allocation of resources to ministries align with the SDGs. Importantly, the goals are interconnected and as Member States and Parliaments work towards their implementation, a holistic approach with rigorous monitoring, evaluation and reporting mechanisms is essential to ensure that 'no one is left behind' and that they are achieved by the stated goal of 2030.

Coming from a small jurisdiction - the Cook Islands - and in my role as CPA Small Branches Chairperson, I value the work done by the United Nations towards securing the sustainable development of those nations commonly labelled small island developing states (SIDS). Despite being among the smallest nations with the smallest populations, SIDS and other Small Branches are among the most affected by many of the world's most critical challenges, including climate change, economic crisis', and more recently, the COVID-19 pandemic. The multilateral sphere, most importantly through the United Nations system is one of the key areas where SIDS and



CPA Small Branches can bring voice to these challenges and give greater impetus for collective action to redress the imbalances.

In particular, the Small Islands Developing States Accelerated Modalities of Action Pathway (SAMOA Pathway) was adopted by the UN and its Member States, as a result of the Third International Conference on Small Island Developing States, held from 1-4 September 2014, in Apia, Samoa. The SAMOA Pathway identifies key priority areas that have been strongly aligned with the SDGs, with particular relevance for SIDS. Its preamble provides that “*small islands developing states remain a special case for sustainable development in view of their unique and particular vulnerabilities*” and also recognises “*the ownership and leadership of small island developing states in overcoming these challenges, but stress that in the absence of international cooperation, success will remain difficult.*”<sup>1</sup>

In the Pacific region, many national Parliaments have established partnerships with the United Nations Development Programme (UNDP) office that provide Parliaments, Parliamentarians and parliamentary staff with much needed capacity building support. The framework of the SDGs provides an important component of these programmes in addition to the various CPA workshops that have also been held in the region. The visibility of the SDGs within multilateral activities give strength to their overarching importance to all aspects of sustainable development. The CPA Small Branches network is also in a perfect situation where Parliamentarians can be active in ensuring the implementation of the SDGs. To that end, I was proud, as CPA Small Branches Chairperson, to be involved in the CPA Small Branches Workshop on Sustainable Economic Development, held in January 2020 in Valletta, Malta. Delegates representing Small Branch legislatures took great interest in, and highlighted the importance of, a range of pressing topics for SIDS and Small

Branches encapsulated in the SDGs, including education; energy independence; ocean management; climate change; and food security, to name a few.

And it is stimulating to see the agenda of the Small Branches network to continue to progress, despite the disruptions caused by the pandemic. As recently as July 2020, as the CPA Small Branches Chairperson, I made an address at the opening session of the first in a series of webinars between the CPA Headquarters Secretariat and UNESCO for Parliamentarians and policy makers within the CPA Small Branches network, on the topic of biodiversity. The webinar has enabled these important issues to continue to be kept at the forefront of the global agenda and in continuing to connect Parliaments, decision-makers and other stakeholders, to share knowledge and strengthen the spirit of cooperation. It is evident from these activities that both the CPA and the UN, through its various bodies, remain committed to this process. I would like to especially acknowledge the UNESCO Section for Small Islands and Indigenous Knowledge for their key contribution alongside the CPA Small Branches network in making these webinars a reality.

As the CPA Small Branches network continues its work alongside its member Legislatures, it is imperative that the strategy of the network remains aligned with many of the very same principles of the UN Charter of 75 years ago. To this end, I am delighted to be involved in the development of the Network’s new Strategic Plan, ensuring that commitments to continued challenges and agendas are strengthened and reaffirmed but also enabling the Network to be proactive to new and evolving ones, in what is a rapidly transforming global environment.

#### References:

<sup>1</sup> <https://sustainabledevelopment.un.org/samoapathway.html>



# THE UN'S SUSTAINABLE DEVELOPMENT GOALS ARE AT THE HEART OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION'S MISSION

## View from the CPA Secretary-General

A shared commitment to multilateralism lies at the heart of the CPA's mission. I am delighted to join the Association as the Secretary-General at this critical and challenging time and I look forward to working with Parliamentarians across the Commonwealth in my new role. I am grateful to the members of the CPA Executive Committee for taking part in our first ever virtual meeting in August 2020. It proved very successful with a high level of participation by Parliamentarians from across the Commonwealth.

The COVID-19 global pandemic has had a devastating impact on families and communities throughout the world. Our thoughts are with all those who have lost loved ones as well as others who are living with or recovering from the virus. Rightly, we applaud the key workers whose hard work and dedication have saved and sustained so many people's lives. Applause, however, is not enough. Our shared challenge is to ensure that 'Build Back Better' is not an empty slogan but a genuine call to action.

The United Nations was born at the end of the Second World War with ambitious goals to achieve peace, uphold international law and defend human rights. As we mark the UN's 75<sup>th</sup> anniversary, we have an opportunity and a responsibility to reaffirm our support for multilateralism. Parliaments and Parliamentarians have a crucial part to play as we seek to learn lessons from the past 75 years to help inform us in shaping policies for the years to come.

**"The United Nations was born at the end of the Second World War with ambitious goals to achieve peace, uphold international law and defend human rights. As we mark the UN's 75<sup>th</sup> anniversary, we have an opportunity and a responsibility to reaffirm our support for multilateralism. Parliaments and Parliamentarians have a crucial part to play as we seek to learn lessons from the past 75 years to help inform us in shaping policies for the years to come."**



**Mr Stephen Twigg**  
Secretary-General of the  
Commonwealth Parliamentary  
Association

In 2015, the United Nations adopted the Sustainable Development Goals (SDGs) and the 2030 Agenda for Sustainable Development providing a comprehensive and demanding set of targets to tackle poverty, inequality and climate change. UN Secretary-General, Antonio Guterres, has called for a 'Decade of Action' to deliver the SDGs by 2030. The global pandemic and its impact will make the job even harder, but I hope that this will serve to strengthen our resolve.

In my previous role as Chair of the United Kingdom's House of Commons International Development Committee, we looked at the role of Parliaments in the implementation of the SDGs. As part of this work we were keen to learn from international best practice. One of the countries

which impressed us most was Uganda, including the important work of the Uganda Parliamentary Forum on the Sustainable Development Goals. I hope we can do more to learn from each other in the months and years ahead so that Parliamentarians across the Commonwealth can be effective champions of the SDGs.

SDG5 is a commitment to "*achieve gender equality and empower all women and girls*" and is an important tool for Parliamentarians to support them in ensuring a gender perspective in their work. The Commonwealth Women Parliamentarians (CWP) network provides an invaluable platform reflecting the CPA's commitment to gender equality. Under the leadership of the CWP Chairperson, Hon. Shandana Gulzar Khan, MNA (Pakistan), we aim to strengthen our work on gender through international partnerships with UN Women and others. Of course, it is incumbent on all Parliamentarians to promote SDG5 - both in their work on policy matters and in their organisational practices. Empowering women and girls is both a crucial goal in itself and is essential to the successful delivery of other Sustainable Development Goals including tackling extreme poverty (Goal One), promoting access to high quality education for all (Goal Four) and achieving peace, justice and strong institutions (Goal 16).

SDG16 includes a commitment to "*build effective, accountable and inclusive institutions at all levels*." This chimes well with the core mission of the CPA as we seek to strengthen the important role of Parliaments and Parliamentarians.

In particular, the CPA's Recommended Benchmarks for Democratic Legislatures have proved themselves a vitally important tool ([www.cpahq.org/cpahq/benchmarks](http://www.cpahq.org/cpahq/benchmarks)). In July 2020, I was delighted to attend the first ever virtual CPA Post-Election



Seminar with the newly elected House of Assembly in Anguilla. The Seminar was a huge success and built upon Anguilla's self-assessment earlier this year using the CPA Benchmarks. Similar assessments have been undertaken, over the past two years, by Parliaments and CPA Branches including Ghana, Malaysia, Pakistan, Grenada, Belize, Kenya and South Africa. I look forward to working with other Parliaments across the Commonwealth to ensure that the CPA family contributes fully to the implementation of Goal 16.

SDG4 aims to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.” For me, education has always been a high priority and I know that this view is shared by Parliamentarians across the Commonwealth. Engagement with young people is a vital element of a healthy democracy – both in preparing children and young people for their future as adult citizens and listening to them now as young citizens. I hope to build upon the work which the CPA has long undertaken to work with young people across the Commonwealth.

SDG13 commits the international community to “take urgent action to combat climate change and its impacts.” Small Island Developing States (SIDS) have long been recognised as a priority for sustainable development. It is now almost three decades since the 1992 Rio UN Conference on the Environment and Development at which SIDS were identified as a ‘special case’ as they often bear the brunt of global challenges like climate change and environmental degradation. Earlier this year, in Malta, we saw the Chairperson of the CPA Small Branches Network and Speaker of the Cook Islands, Hon. Niki Rattle, launch the CPA Small Branches Climate Change Toolkit ([www.cpahq.org/cpahq/SBclimatechange](http://www.cpahq.org/cpahq/SBclimatechange)). It is an impressive piece of work drawing upon collaborations with the United Nations Environment Programme (UNEP) in Nairobi in 2018 and work undertaken by CPA Small Branches Parliamentarians who attended the workshop on climate change at the 37<sup>th</sup> CPA Small Branches Conference in Kampala, Uganda in September 2019.

In July 2020, I was pleased to attend one of two webinars hosted jointly by the CPA Small Branches Network and UNESCO

on the subject of ‘*The Role of SIDS, Legislators and Decision-Makers on Sustainable Development and Agenda 2030: Biodiversity*’. I am confident that there is great scope for us to develop this important work further in partnership with the United Nations and others.

The driving purpose of the SDGs is to “leave no-one behind”. People with disabilities face exclusion, discrimination, stigma and prejudice. A good test of the impact of Agenda 2030 will be to look at how far the lives of people with disabilities improve. Disability-inclusion is addressed in several of the Goals including SDG4 on education, SDG8 on inclusive and sustainable economic growth and SDG10 on inequality. ‘*Nothing about us without us*’ is a powerful slogan with a centuries-long tradition which has become a guiding principle of the disability rights movement.

The development of the CPA Parliamentarians with Disabilities (CPwD) network will provide an important platform to ensure that the CPA is truly promoting disability-inclusion, both in how we engage our Members and how we support all Parliamentarians to promote awareness and challenge the exclusion of people with disabilities in politics, the economy and wider society.

In recent months, the Black Lives Matter movement has focussed the world's attention on the importance of tackling racism. As our CPA Chairperson, Hon. Emilia Monjowa Lifaka, said in her powerful statement on the 2020 International Day of Parliamentarism with reference to Black Lives Matter: “*What this has reinforced in me, is that nobody should be left behind, nobody should be silenced because of the colour of their skin, their gender, age, ethnicity, religion, language, culture, sexuality or abilities.*”

That commitment to inclusion and diversity lies at the heart of the UN Sustainable Development Goals and it is central to the mission, programmes and governance of the CPA itself. As work begins on the next phase of the CPA's strategic planning, I welcome the opportunity to work with CPA Branches, Regions, Networks and individual Parliamentarians across the CPA family to help ensure that we make our contribution to the UN's Agenda 2030.



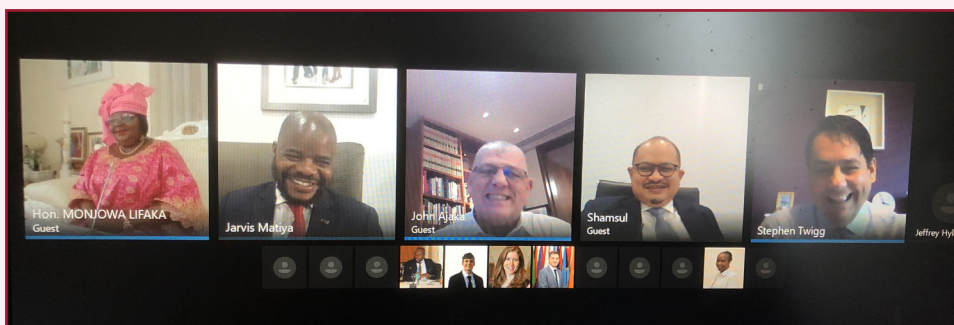
## New Secretary-General of the Commonwealth Parliamentary Association appointed

The CPA Executive Committee announced on 15 June 2020 that they had appointed a new Secretary-General for the Association and that Mr Stephen Twigg was selected as the CPA Secretary-General. The CPA Executive Committee approved the new CPA Secretary-General, acting in the capacity of the General Assembly, as mandated by the 64th General Assembly held in Kampala, Uganda on 28 September 2019. The CPA Executive Committee is made up of representatives from the nine regions of the CPA: Africa; Asia; Australia; British Islands and Mediterranean; Canada; Caribbean, Americas and Atlantic; India; Pacific; South-East Asia.

The Chairperson of the CPA Executive Committee and Deputy Speaker of the National Assembly of Cameroon, Hon. Emilia Monjowa Lifaka, MP, said: *"On behalf of the Commonwealth Parliamentary Association, we welcome the appointment of the new CPA Secretary-General, and the CPA Executive Committee and CPA Headquarters Secretariat look forward to working with Mr Stephen Twigg to further the work of the Association in parliamentary strengthening across the Commonwealth. His long-standing parliamentary experience will be valuable to the Association."*

The new CPA Secretary-General's appointment is for a fixed term of four years and began on 1 August 2020. The CPA Secretary-General, Stephen Twigg is a former UK Parliamentarian, who was elected to the Parliament of the United Kingdom as a Member of Parliament from 1997 to 2005 (Enfield Southgate) and from 2010 to 2019 (Liverpool West Derby). During his parliamentary career, he held several senior positions including Chairperson of the International Development Select Committee, Minister for Schools and a range of Shadow Front Bench roles.

Prior to his parliamentary career, Stephen Twigg studied Philosophy, Politics and Economics at Balliol College, Oxford



University. He became the youngest President of the National Union of Students in 1990-92 and was then elected as a Local Councillor in the London Borough of Islington. Since the 2019 General Election, Stephen Twigg has been working to set up the International Parliamentary Network for Education and has been actively involved in parliamentary strengthening with both Global Partners Governance and the Westminster Foundation for Democracy (WFD).

The CPA Chairperson, Hon. Emilia Monjowa Lifaka, MP held a virtual meeting of the CPA Co-ordinating Committee on 3 August 2020 to welcome the new CPA Secretary-General as he started his term of office this week. The CPA Chairperson welcomed the CPA Secretary-General and looked forward to working together to progress the Association's role in promoting parliamentary democracy. The virtual meeting was also attended by the Vice-Chairperson of the CPA Executive Committee, Hon. John Ajaka, MLC, President of the Legislative Council of the New South Wales Parliament and the CPA Treasurer, Hon. Datuk Seri Shamsul Iskandar bin Hj Mohd Akin, MP (Malaysia) as well as staff from the CPA Headquarters Secretariat.

The CPA Secretary-General thanked the CPA Chairperson and CPA Co-ordinating Committee for their welcome, thanked the CPA Director of Operations, Mr Jarvis Matiya for his work as Acting CPA Secretary-General for the past year and looked forward to working with the CPA Headquarters Secretariat staff on the wide range of CPA projects and events in the years ahead.

## CPA Regional Secretaries hold virtual meeting with new CPA Secretary-General

CPA Regional Secretaries representing eight of the nine CPA Regions met via video conference to discuss governance issues and future CPA activities with CPA Acting Secretary-General, Mr Jarvis Matiya ahead of a planned CPA Executive Committee meeting. The CPA Regional Secretaries also had the opportunity to virtually meet the new CPA Secretary-General Elect, Mr Stephen Twigg, ahead of the start of his new term in office from 1 August 2020.

The representatives attending the virtual meeting were: Mr Daniel Eliufoo, Parliament of Tanzania (CPA Africa Region Deputy Regional Secretary); Mr Shamoon Hashmi, Joint Secretary, International Relations, National Assembly of Pakistan (CPA Asia Regional Secretary); Ms Alex Cullum, Director, International & Parliamentary Relations, Parliament of Australia (CPA Australia Regional Secretary); Ms Helen Haywood, Deputy Chief Executive, CPA UK Branch (CPA British Islands & Mediterranean Region); Mr Michel Patrice, Deputy Clerk, House of Commons, Parliament of Canada (CPA Canada Regional Secretary);



Mr Pedro Eastmond, Clerk, Parliament of Barbados (CPA Caribbean, Americas & Atlantic Regional Secretary); Ms Wendy Hart, Inter-Parliamentary Relations Officer, Parliament of New Zealand (CPA Pacific Regional Secretary); Mr Nizam Mydin bin Bacha Mydin, Secretary, House of Representatives, Parliament of Malaysia (CPA South-East Asia Regional Secretary) and Ms Lavinia Vyveganathan (Parliament of Malaysia).

## CPA Executive Committee hold virtual meeting to address key governance issues for the Commonwealth Parliamentary Association

The Executive Committee of the Commonwealth Parliamentary Association (CPA) has held its first fully virtual meeting from 19 to 22 August 2020 chaired by the Chairperson of the Executive Committee, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon. The CPA Executive Committee represents the nine regions of the CPA - Africa; Asia; Australia; British Islands and Mediterranean; Canada; Caribbean, Americas and Atlantic; India; Pacific; South-East Asia.

The CPA Executive Committee Mid-Year meeting was attended by representatives from all of the nine CPA Regions along with the Officers of the Association: the Vice-Chairperson of the CPA Executive Committee, Hon. John Ajaka, MLC, President of the Legislative Council of New South Wales; CPA Treasurer, Hon. Datuk Seri Shamsul Iskandar bin Hj Mohd Akin, MP (Malaysia); CPA Small Branches Chairperson, Hon. Niki Rattle, Speaker of the Parliament of the Cook Islands; and the Chairperson of the Commonwealth Women Parliamentarians (CWP), Hon. Shandana Gulzar Khan, MNA (Pakistan). The meeting was also the first CPA Executive Committee attended by the new Secretary-General of the CPA, Mr Stephen Twigg.

The Chairperson of the CPA International Executive Committee said: *"The Commonwealth Parliamentary Association (CPA) provides a unique platform for inter-parliamentary dialogue to take place amongst its membership of 180 Member Parliaments and Legislatures. The Commonwealth Parliamentary Association's membership not only comprises national Parliaments of the Commonwealth, but also provincial, state and territorial Legislatures as well as devolved Assemblies. The diverse nature of the membership provides the Commonwealth Parliamentary Association with a unique position within the parliamentary community to offer a comprehensive perspective on how to strengthen parliamentary democracy Commonwealth-wide and discuss new and innovative approaches on how to do so."*

The CPA Executive Committee Mid-Year meeting was due to have been held in April 2020 in Assam, India but had to be postponed due to COVID-19 global pandemic and travel restrictions in place.

Ahead of the CPA Executive Committee meetings, the CPA Chairperson and the CPA Secretary-General also met virtually with the CPA Regional Secretaries.



## CPA Executive Committee approves the postponement of annual gathering of Commonwealth Parliamentarians at 65<sup>th</sup> Commonwealth Parliamentary Conference in Canada

The CPA Executive Committee, meeting virtually from 19-22 August 2020, has approved the postponement of the 65th Commonwealth Parliamentary Conference (CPC) due to be hosted by the CPA Canada Region in Halifax, Nova Scotia, Canada in January 2021.

The decision to postpone the CPA annual conference was the result of ongoing travel restrictions due to the COVID-19 global pandemic and the quarantine restrictions in place between different countries. The CPC will now be postponed to a future date in August 2021.

The largest annual gathering of Commonwealth Parliamentarians, the annual flagship event brings together over 500 Parliamentarians, parliamentary staff and decision makers from across the Commonwealth for a unique conference and networking opportunity. The Commonwealth Parliamentary Conference offers the prospect of the coming together of the CPA's global membership to address the critical issues facing today's Parliaments.

During the 65th Commonwealth Parliamentary Conference, there will also be a number of additional conferences and meetings including: 38th CPA Small Branches Conference; workshops for the Commonwealth Women Parliamentarians (CWP); 65th CPA General Assembly; meetings of the CPA Executive Committee; and the Society of Clerks at the Table (SoCATT) meetings. The conference will also hold elections for the Chairperson of the CPA Executive Committee for a new three-year term.

All eligible CPA Branches will be contacted with further information and invitations to the 65th Commonwealth Parliamentary Conference (CPC) in Canada. For further information and updates please visit [www.cpahq.org/cpahq/65CPC](http://www.cpahq.org/cpahq/65CPC).





## Newly elected Members of the Anguilla House of Assembly benefit from Commonwealth expertise at the CPA's first ever virtual Post-Election Seminar

Commonwealth Parliamentary Association Secretary-General Elect, Mr Stephen Twigg addressed newly elected Members of the Anguilla House of Assembly at the opening of the CPA's first ever fully virtual Post-Election Seminar from 20 to 24 July 2020. The Seminar, which is the CPA's longest running programme, was delivered for the first-time virtually with panellists presenting from across the Commonwealth, due to travel restrictions in place during the COVID-19 global pandemic.

The CPA Secretary-General Elect, Mr Stephen Twigg said: *"The CPA is pleased to work with the House of Assembly in the delivery of this important and worthwhile programme to support the strengthening of democracy and good governance in Anguilla. Delivering this programme through a virtual platform highlights Anguilla's forward-thinking and adaptive approach to new ways of working in light of the COVID-19 pandemic. This clearly demonstrates a positive future for democracy on the island."*

The opening ceremony of the CPA Post-Election Seminar also heard speeches from the new Speaker of the House, Hon. Barbara Webster-Bourne, the CPA UK CEO, Mr Jon Davies and the Governor of Anguilla, His Excellency Tim Foy OBE. To view highlights of the opening ceremony, please visit [www.cpahq.org/cpahq/youtube](http://www.cpahq.org/cpahq/youtube).

The CPA Post-Election Seminar provided a valuable opportunity to help shape the parliamentary careers of the newly elected and returning Members of the House to develop their skills and understanding of parliamentary democracy. The programme covered areas focusing on parliamentary practice and procedure, administration and financing of Parliament, public outreach and engagement, the role of select committees as well as key Commonwealth values and principles, such as the Latimer House Principles on the Separation of Powers.

### Key highlights included:

- Two highly experienced Commonwealth Parliamentarians from Bermuda and Canada – Hon. Dennis P. Lister, JP, MP, Speaker of the House of Assembly of Bermuda and Hon. Yasmin Ratansi MP, Parliament of Canada and CPA Canada Chairperson - shared their experiences of being a newly elected Member of Parliament.
- Parliamentary experts including Ms Jacqui Sampson-Meiguel, Clerk of the House of Representatives, Parliament of Trinidad and Tobago and Mr Lenox Proctor, Clerk of the House of Assembly of Anguilla examined the importance of updating Standing Orders and good practice for parliamentary procedures.
- A session was held for female MPs from Anguilla to discuss women's representation and the work of the Commonwealth



Women Parliamentarians (CWP) network with Hon. Yasmin Ratansi, MP (Canada) and Hon. Akierra Missick MP (Turks & Caicos Islands) who shared their own experiences of working in Parliament.

- Hon. D. Ezzard Miller, MLA (Cayman Islands), Chair of the Public Accounts Committee spoke about the importance of the legislative process and financial scrutiny.
- Hon. Akierra Missick MP (Turks & Caicos) and Hon. Sharie B. de Castro, MHA, Junior Minister for Tourism (British Virgin Islands) spoke about balancing government and parliamentary roles and the role of the Minister.
- A session was also held for the Speaker and Deputy Speaker of the Anguilla House of Assembly that focused on the multifaceted role and function of the Presiding Officer, both within and outside the Chamber. The session heard from three distinguished current and former Commonwealth Speakers - Hon. Dennis P. Lister, JP, MP, Speaker of the House, Bermuda; Hon. Alix Boyd Knights, Speaker Emeritus, Dominica; Mr Terry Harrigan, former Speaker of the House of Assembly of Anguilla.

Members of the House also addressed key and urgent areas of parliamentary and electoral reform in Anguilla emanating from the recent CPA Benchmarks for Democratic Legislatures report and the CPA BIMR Election Assessment Mission. The election for Members of the House of Assembly of Anguilla was held on 29 June 2020.

The CPA Headquarters Secretariat delivered the programme in partnership with the House of Assembly of Anguilla, the Government of Anguilla and the CPA British Islands and Mediterranean Regional Secretariat (CPA UK Branch).

Images of CPA Post-Election Seminar in Anguilla at [www.cpahq.org/cpahq/flickr](http://www.cpahq.org/cpahq/flickr)



## CPA Secretary-General Elect joins Botswana MPs for virtual workshop on effective parliamentary oversight



The Secretary-General Elect of the Commonwealth Parliamentary Association (CPA), Mr Stephen Twigg joined Commonwealth Parliamentarians via video conference at the Parliament of Botswana for the 12<sup>th</sup> Parliamentary Workshop on Effective Oversight from 29 June to 3 July 2020.

The virtual workshop was opened by the Speaker of the National Assembly of Botswana, Hon. P. T. C. Skelemani, MP and the Clerk of the National Assembly, Ms B. N. Dithapo and was attended by around 50 Members of the Parliament of Botswana. The four-day virtual workshop examined parliamentary oversight and accountability and the tools available to MPs to undertake this role.

The CPA Secretary-General Elect spoke in one of the opening sessions of the virtual workshop about the work of the Commonwealth Parliamentary Association in providing advice and training to Commonwealth Parliaments and Legislatures and the CPA Recommended Benchmarks for Democratic Legislatures which provides a benchmark for parliamentary standards. The CPA

Secretary-General Elect also spoke about his own experiences of oversight as a former Parliamentarian and Chairperson of the International Development Select Committee.

The CPA Secretary-General Elect, Mr Stephen Twigg said: *"I was delighted to join Parliamentarians from Botswana for my first public engagement as CPA Secretary-General-Elect. The opportunity to learn from each other is of critical importance and I was pleased to highlight some of the excellent resources which the CPA has developed to support Commonwealth Parliamentarians in their crucial oversight work."*

The workshop also heard from Ms Meg Munn, a former UK Parliamentarian speaking on behalf of the Inter-Parliamentary Union (IPU) and Dr R. Draman, Executive Director, African Center for Parliamentary Affairs.

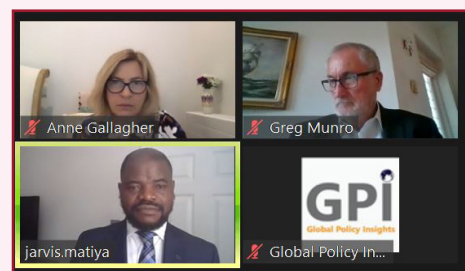
The virtual workshop at the Botswana Parliament was the first time that the CPA Secretary-General Elect took part in an overseas event with a CPA Branch ahead of the start of his new role which officially commences from 1 August 2020.

## Commonwealth Parliamentary Association joins global webinar highlighting the vital role of the Commonwealth networks

The CPA Acting Secretary-General, Mr Jarvis Matiya delivered the keynote address at a global online webinar titled *'Vanguards in the 21<sup>st</sup> century: Optimising Commonwealth Networks'*. The CPA Acting Secretary-General highlighted the key role that Commonwealth organisations play in the international community and the role of the CPA as the parliamentary wing of the Commonwealth in connecting over 180 Parliaments and Legislatures. He said: *"Through the ongoing work of the Commonwealth, citizens can reap the benefits that come from positive dialogue and engagement on issues of democracy, good governance, human rights and socio-economic development. Through collaboration, consultation and speaking with one common voice, the Commonwealth is truly a global force for good, bringing a richness of its diversity and geographical reach to solve issues and identify new opportunities."*

The online webinar was held as part of a series hosted by Global Policy Insights (GPI) and The Ramphal Institute and the session featured a panel discussion on the Commonwealth's pivotal networks as they partner with each other and their national counterparts to deliver upon the Commonwealth's priorities. Guest panellists included: Mr Uday Nagaraju from Global Policy Insights; Mr David Gomez, Director of The Ramphal Institute; Ms Anne T. Gallagher, Director-General of the Commonwealth Foundation; Dr Greg Munro, Secretary-General of the Commonwealth Local Government Forum (CLGF); Dr Nicholas Watts, Chair of the Independent Forum of Commonwealth Organisations (IFCO); and Ms Neha Dewan, Political Affairs Officer at GPI and the Project Lead for the Commonwealth Project.

To view the online webinar and to find out more about the webinar series hosted by Global Policy Insights (GPI) and The Ramphal Institute please visit <http://globalpolicyinsights.org/> or <http://www.ramphalinstitute.org/>.





## Remote working during the COVID-19 (Coronavirus) pandemic: CPA Masterclass videos equip Commonwealth Parliamentarians and parliamentary staff with practical techniques

Three new CPA Masterclass videos have been launched by the Commonwealth Parliamentary Association to equip Commonwealth Parliamentarians and parliamentary staff with practical techniques to effectively plan and manage parliamentary responsibilities.

The confinement restrictions currently in place in countries across the world as a result of COVID-19 (Coronavirus) has not only driven many into a state of emergency but, has consequently impacted the work of hundreds of Parliaments. Almost immediately overnight, Parliaments and Legislatures within the Commonwealth have had to prioritise the health and safety of their Parliamentarians and parliamentary staff, as well as those of their communities and families by encouraging Parliamentarians and parliamentary staff to work from home.

Many are still adjusting to changes to the working environment and experience challenges when conducting meetings and holding Parliamentary Committees and questions virtually. Now more than ever, Parliamentarians and parliamentary staff are required to strengthen their soft skills in order to effectively continue to fulfil their parliamentary responsibilities and commitments away from the parliamentary building and its facilities.

The Commonwealth Parliamentary Association (CPA) has embarked on a partnership with experts in the field of business administration and personal development to launch a series of videos as part of a set of CPA Masterclasses on Remote Working.

Produced by Kate Faragher, Chief Executive Officer of BeSpoke Skills, and Claire Farren, Chief Executive Officer of Farrens, these CPA Masterclasses provide Parliamentarians with guidance and recommendations on how to effectively work remotely during the current COVID-19 pandemic.

Divided into three courses: Virtual Presenting, Time Management and Questioning, Parliamentarians will not only be able to implement the knowledge shared into their current routines but, will also have the opportunity to transfer these skills in all aspects of their work beyond these current circumstances.

The CPA Acting Secretary-General, Mr Jarvis Matiya said: *"The Commonwealth Parliamentary Association recognises the important role collaboration plays in advancing parliamentary*



*democracy across the Commonwealth and will continue to be a platform that connects, develops and supports the work of Parliamentarians and Parliaments. The CPA Masterclass Courses on Remote Working and other innovative activities have been inspired by the current need for Parliamentarians to impact and work towards delivering effective policies and scrutinising the Executive virtually during this time of great uncertainty. We hope that these CPA Masterclasses will help develop parliamentary practices across the Commonwealth by offering Parliamentarians an awareness of the key tools needed to deliver their responsibilities in their respective Parliaments and Legislatures."*

Concerning the Masterclass on Questioning, Kate Faragher asserted that *"great questions can uncover clear answers. In a time of upheaval clarity is key. This Masterclass will help you structure the best approach to getting the answers you need, now during the COVID-19 Pandemic and also when we return to the 'new normal'."*

Regarding the Masterclass on Time Management, Claire Farren shared that *"so many of us are struggling to juggle family life with work challenges - these easy steps followed consistently will give you the productivity mindset you've always wanted."*

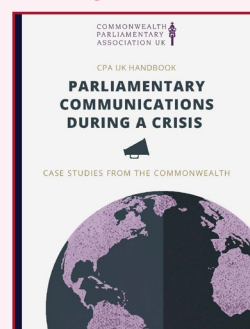
Both Kate Faragher and Claire Farren said that the Masterclass Course on Virtual Presenting will *"give you an online make-over and help you present yourself and your environment in the best way possible, using simple, easy-to-follow skills that will last you long after the pandemic has passed."*

Visit [www.cpahq.org/cpahq/remoteworking](http://www.cpahq.org/cpahq/remoteworking) to access the CPA Masterclass Courses on Remote Working and request a log-in.

## New CPA UK handbook launched on parliamentary communications during a crisis

A new CPA UK handbook on parliamentary communications during a crisis has been launched by the CPA UK Branch. The handbook highlights key strategies implemented by a number of Communications departments within Commonwealth Parliaments during the current COVID-19 global pandemic in communicating changes to parliamentary procedure effectively, both internally to Parliamentarians and parliamentary staff but also externally to the general public. The case studies showcasing innovative approaches taken by different Legislatures include the Parliament of Australia, Parliament of Singapore, Parliament of Botswana, the Scottish Parliament and the UK Parliament (House of Commons).

In analysing the steps taken to ensure effective parliamentary communications during a crisis, the handbook identifies six key techniques for parliamentary teams to take including working across departments and working with the media. It also provides a model of good practice for Commonwealth Parliaments. To download a copy of the handbook, visit the CPA UK website [www.uk-cpa.org](http://www.uk-cpa.org).





## International Day of Parliamentarism celebrates the vital role of Parliaments, especially during the current COVID-19 global pandemic

The International Day of Parliamentarism (World Parliament Day) is celebrated every year on 30 June and this year, the Commonwealth Parliamentary Association joined the celebrations marking the vital role that Parliaments and Legislatures are playing during the current global COVID-19 pandemic to pass emergency laws, allocate resources and scrutinize government action.

The Commonwealth Parliamentary Association is helping to facilitate parliamentary exchange and support with a programme of webinars and publications that share examples of how Parliaments can continue to legislate, debate and scrutinize the actions of government in a time of lockdown and social distancing. The CPA Headquarters Secretariat is continuing to support its membership of over 180 Commonwealth Parliaments and Legislatures to connect and exchange ideas during the current pandemic through innovative methods.


On International Day of Parliamentarism (#WorldParliamentDay), the CPA Headquarters Secretariat also celebrated the work it does to support its membership to achieve their key goals to be more representative and to adapt to different times.

The Chairperson of the CPA Executive Committee, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon, released a statement to mark International Day of Parliamentarism which highlighted the importance of parliamentary democracy and its value to societies and the global community. Turn to the CPA Chairperson's View article on page 198 to read her statement.



**INTERNATIONAL DAY OF  
PARLIAMENTARISM 2020**

Empowering Commonwealth Parliaments and Parliamentarians  
to promote peace, democracy and sustainable development

 **CPA** COMMONWEALTH  
PARLIAMENTARY  
ASSOCIATION

#WorldParliamentDay #30June

[www.cpahq.org](http://www.cpahq.org)

The International Day of Parliamentarism is a time to review the progress that Parliaments and Legislatures have made in achieving key goals to be more representative and to adapt to different times. This includes carrying out self-assessments against the CPA Recommended Benchmarks for Democratic Legislatures, working to include more women, disabled and young MPs, representing the smallest jurisdictions in the Commonwealth, and adapting to new technologies and innovations.

The International Day of Parliamentarism was established in 2018 through a United Nations General Assembly Resolution.

## CPA joins international organisations in endorsing the IPU Common Principles

To mark International Day for Parliamentarians (30 June), the Commonwealth Parliamentary Association has endorsed the Inter-Parliamentary Union's Common Principles for Support to Parliaments, joining 136 national Parliaments, 8 parliamentary assemblies and 19 international organisations in working together to support Parliaments and Legislatures.

The IPU Common Principles for Support to Parliaments set out the fundamental principles for planning and implementing programmes to strengthen Parliaments. They were first developed in 2014 by a group of Parliaments and international partners convened by the IPU and have been widely endorsed around the world. The principles are made up of a number of points on the nature of parliamentary support that include the fact that support should be guided by the needs of Parliaments; take account of the social, economic and political contexts of individual Parliaments; aim for sustainable outcomes; address the needs and potential of women and men equally; use local and regional expertise; and guarantee ethical and responsible conduct by partners.

IPU Secretary General, Mr Martin Chungong in his response to the CPA's endorsement of the IPU Common Principles for Support to Parliaments said: "Each new endorsement lends additional and valuable weight to the IPU Principles as well as being a testament to the desire for all of us to work together to improve the quality of support to Parliaments. I am confident the Principles will serve as a framework to enhance co-ordination and cooperation between Parliaments and partners."

## New CAAF Publication for Public Accounts Committees and support staff

The Canadian Audit and Accountability Foundation (CAAF) has launched a series of parliamentary oversight resources dedicated to supporting Public Accounts Committees. The latest publication, *How Researchers Assigned to Public Accounts Committees Can Strengthen Oversight*, has been developed in collaboration with the Canadian Library of Parliament and provides information to support staff and Committee Members that will assist them in their work of studying performance audit reports. The Canadian Audit and Accountability Foundation is a not-for-profit organisation dedicated to promoting and strengthening public sector performance audit, oversight, and accountability in Canada and abroad through research, education, and knowledge sharing.



To view the publication please visit: <https://www.caaf-fcar.ca/en/parliamentary-oversight-resources/researchandmethodology/oversight-guidance>.



## Virtual graduation ceremony held for Commonwealth Parliamentarians from small jurisdictions completing CPA course with McGill University

Commonwealth Parliamentarians from across the world joined a virtual graduation ceremony for the Commonwealth Parliamentary Association (CPA) Fundamentals Programme on Practice and Procedure for CPA Small Branches delivered in partnership with McGill University in Canada. The accredited programme for newly elected Parliamentarians provides guidance on international practices of parliamentary democracy with a particular focus on the smallest jurisdictions in the Commonwealth. The CPA Small Branches network operates in 43 Commonwealth jurisdictions.

The virtual graduation ceremony saw the presentation of the Professional Development Certificate in Parliamentary Governance to 12 Commonwealth Parliamentarians from Anguilla, Antigua and Barbuda, The Bahamas, Falkland Islands, Grenada, Isle of Man, Jersey, Niue, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines and Turks and Caicos.

The Chairperson of the CPA Small Branches network, Hon. Niki Rattle, Speaker of the Parliament of the Cook Islands sent a video message to the virtual graduation ceremony and said: *"The purpose and design of the CPA's Fundamentals Programme is to build the skills and capacities of Parliamentarians from across the Commonwealth by providing a deeper understanding and appreciation of parliamentary practices and procedures. It is one of the strengths of the CPA and the Small Branches network that we are able to provide these peer-to-peer learning opportunities and I warmly encourage graduates to share what you have gained from your experience of this course. The importance of democratic principles and good governance are not tied to specific areas of our shared Commonwealth but are universal and vital maxims at the centre of the work that we carry out."*

The CPA Secretary-General Elect, Mr Stephen Twigg congratulated the graduates and said: *"The CPA Fundamentals Programme on Practice and Procedure for CPA Small Branches is a very important part of the CPA's offer to our Members. It contributes to our core mission of strengthening democratic Legislatures across the Commonwealth and beyond. It is also hugely encouraging to hear of the many success stories and*



*achievements of the graduates on the programme. The CPA is committed to this programme being widely accessible as continuous learning for Commonwealth Parliamentarians."*

Dr Carola Weil, Dean of Continuing Studies at McGill University in Canada also congratulated the participants on completing the course and for their dedication to promoting transparency and accountability in their respective Parliaments. The Dean was joined at the virtual graduation ceremony by Professor Rick Stapenhurst, Director of Parliamentary Programmes at McGill University, Ms Inna Popova, Director of Professional & Corporate Education at McGill School of Continuing Studies and Mr Matthew Salik, Head of Parliamentary Development at the CPA. The vote of thanks on behalf of the graduates was given by Hon. Donald L. Saunders, Deputy Speaker of The Bahamas who thanked participants, lecturers and everyone involved in the programme.

The CPA Headquarters Secretariat provided funding for many of the participants on the course. For further information about the CPA's professional development programmes for Parliamentarians and parliamentary staff email: [hq.sec@cpahq.org](mailto:hq.sec@cpahq.org).

## Online webinar discusses MPs' communication with constituents during COVID-19

Three Members of Parliament from Canada, Jamaica and the UK joined a live webinar event held by the CPA UK Branch on the topic of 'How can MPs continue to communicate with their constituents during COVID-19?'. The event explored how MPs across the Commonwealth and, in some cases their parliamentary staff, have adapted to virtual surgeries, losing their office space and the change in pace of work since lockdown measures have been introduced across the globe and how they have ensured that they are still able to engage effectively with their constituents.

The panellists were: Hon. Yasmin Ratansi, MP, Member of the Parliament of Canada and CPA Canada Chairperson; Hon. Dawn Butler, MP, Member of the UK Parliament; and Hon. Dr Dayton Campbell, MP, Member of the Parliament of Jamaica. They discussed how they have had to adapt their communication methods to include more online and virtual ways of reaching out to people during lockdown and spoke of the challenges of higher numbers of constituents getting in contact and the importance of reaching out to those constituents who are hard to reach via radio programmes, telephone calls and social distanced meetings. Discussions also focused on the opportunities presented by using social media, including its popularity, real-time live interaction and the ease in sending out messages quickly, but also the challenges it can present through being unable to verify your constituents and the difficulty in engaging in conversation on platforms such as Twitter due to character restrictions.



To view the CPA UK webinar, please visit [www.uk-cpa.org](http://www.uk-cpa.org).



## Helping Parliaments to gain greater independence from Governments – CPA launches its Model Law for Independent Parliaments

Today, more than ever, Parliaments are facing many challenges to their effectiveness. The current COVID-19 pandemic is stretching the capacity of Commonwealth Parliaments to remain fully functional, requiring costly resources and specialist services as well as the ability to be rapidly adaptive to new ways of working. To survive such pressures, Parliaments need to have robust leaders, services and finances to respond to such pressures.

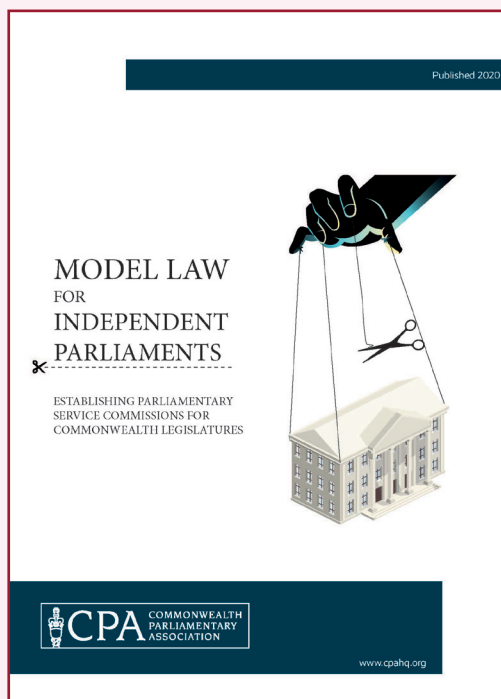
As part of its commitment to the Commonwealth Latimer House Principles, as well as its work in benchmarking Parliaments against international standards, the Commonwealth Parliamentary Association (CPA) has developed a Model Law to help empower Parliaments to take control away from the Executive to ensure it has the administrative, operational and financial resources it needs to function effectively.

The Model Law is designed as a Parliamentary Service Commission Bill which seeks to create a parliamentary corporate body to oversee the institution of Parliament. It has also been structured to accommodate as many versions of the 'Westminster System' Parliament as possible. The Model Law can be adapted to suit unicameral or bicameral Parliaments, small or large Legislatures at either a national or subnational level.

The Model Law has been developed with expert and experienced input from leading Commonwealth Legislative drafters and Parliamentary Clerks.

The Acting CPA Secretary-General, Mr Jarvis Matiya said: *"Since the establishment of the Commonwealth Latimer House Principles, over the last twenty years, the Commonwealth Parliamentary Association has been a leader in driving the agenda for strengthening the independence of Parliaments from the Executive, this Model Law is another important step in that process. It will undoubtedly be an invaluable resource for Commonwealth Parliaments that need to create such entities and a clear reminder to other Parliaments to continue to perfect their institutional independence."*

To download a copy of the CPA's Model Law for Independent Parliaments please visit [www.cpahq.org/cpahq/modellaw](http://www.cpahq.org/cpahq/modellaw).



## Commonwealth Parliamentary Association joins Caribbean-focused webinar on gender responsiveness and disaster resilience during the COVID-19 pandemic

The Commonwealth Parliamentary Association (CPA) Headquarters Secretariat joined a number of international partners for the ParIAmericas webinar on gender-responsiveness and disaster resilience during COVID-19. The webinar was hosted in partnership with UN Women Caribbean and the Parliament of St Lucia and it brought together Parliamentarians, technical staff and representatives of civil society from across the Caribbean and Americas.

Jack Hardcastle, Programmes Assistant at the CPA Headquarters Secretariat spoke about the CPA's toolkit on Climate Change and Small States ([www.cpahq.org/cpahq/SBclimatechange](http://www.cpahq.org/cpahq/SBclimatechange)) and the newly launched toolkit on parliamentary responses to the Coronavirus (COVID-19) pandemic ([www.cpahq.org/cpahq/coronavirus](http://www.cpahq.org/cpahq/coronavirus)). The CPA Small Branches network operates in 43 Commonwealth jurisdictions with 16 of them in the CPA Caribbean, Americas and Atlantic Region.

The ParIAmericas webinar was introduced by Tonni Brodber, Head of the UN Women Multi-Country Office for the Caribbean, who was followed by the Speaker of the House of Assembly of St Lucia, Hon. Andy Daniel, MP, Member of the ParIAmericas Board of Directors and CAA Regional Representative on the CPA's Executive Committee. The webinar also heard discussions on a wide range of issues in relation to gender-responsiveness and disaster resilience during COVID-19 from representatives of a wide range of organisations in the Caribbean Region including the Caribbean Disaster Emergency Management Agency (CDEMA), International Institute for Sustainable Development (IISD) and the United Nations Development Programme (UNDP) Caribbean Office.

To view the ParIAmericas webinar please visit <https://youtu.be/-iVwHOfQG4> and for access to the resources accompanying the webinar please visit <https://parlAmericas.org/en/gender-equality/our-work-pnge.aspx>.





## Key role of Parliamentarians and policy makers in promoting biodiversity in Small Island Developing States is highlighted at CPA and UNESCO webinars

Global leaders and experts from across the world have highlighted the role of legislators and decision-makers in Small Island Developing States (SIDS) on biodiversity and the sustainable development agenda. Two online webinars were convened by the Commonwealth Parliamentary Association (CPA) Small Branches network and UNESCO's Small Islands and Indigenous Knowledge Section.

The webinars aimed to build the knowledge of Commonwealth Parliamentarians and policy makers in small jurisdictions and to highlight the multilateral agreements and global instruments within UNESCO's mandate of education, natural sciences, social and human sciences, culture, communication and information.

The first of the webinars focused on the CPA Pacific Region and was introduced by Hon. Niki Rattle, Chairperson of the CPA Small Branches network and Speaker of the Parliament of the Cook Islands who said: *"In recognising the pioneering work undertaken by UNESCO in relation to Small Island Developing States and bringing the challenges they face to the top table internationally, I believe there are mutual interests, common objectives and significant scope for partnership between the Commonwealth Parliamentary Association's Small Branches network and UNESCO. The CPA Small Branches network aims to help our Members to identify their achievements, strategically assess the challenges they encounter, build alliances and take action across the Commonwealth and beyond."*

This message was reiterated by CPA Secretary-General Elect, Mr Stephen Twigg who spoke at the second webinar focused on the Caribbean and Indian Oceans and highlighted the aspirations of the CPA Small Branches network to support Members in promoting biodiversity and in the aspirations of the Sustainable Development Goals (SDGs). The CPA Small Branches network operates in 43 Commonwealth jurisdictions with 16 of them in the CPA Caribbean, Americas and Atlantic Region and 10 in the CPA Pacific Region.

Dr Peggy Oti-Boateng, Director of the UNESCO Division for Science Policy and Capacity Building also spoke at the webinars about UNESCO's work in biodiversity and its work with SIDS. Ana María Hernández Salgar, Chair of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) explained how IPBES provides relevant information to policy and decision makers and how they support Parliamentarians with policy information. UNESCO's Small Island and Indigenous Knowledge Chief, Nigel Crawhall highlighted the importance of Parliamentarians in promoting legislation for biodiversity.

Participants and discussion leaders at the webinars went on to discuss strengthening dialogue between science and policy on biodiversity in the Pacific Ocean and in the Caribbean and Indian Oceans, as well as the capacity of Parliamentarians to associate biodiversity with development agendas.

### Key highlights from the Pacific Region webinar:

- New Zealand MP and Member of the Select Committee on Economic Development, Science and Innovation, Hon. Maureen Pugh, MP gave a perspective from New Zealand on biodiversity and conservation protections incorporated



through legislation that form part of the national development agenda.

- The topic of island biodiversity and Pacific preparedness for the post-2020 Global Biodiversity Framework was highlighted by expert Kate Brown from the Global Island Partnership (GLISPA).
- Professor Randolph R. Thaman from the University of the South Pacific spoke about the huge challenges facing the Pacific Region in tackling biodiversity including invasive alien species, pollution and waste management.

### Key highlights from the Caribbean/Indian Ocean webinar:

- The first speaker, environmental expert and IPBES Caribbean representative, Floyd Homer (Trinidad & Tobago) focused on the Caribbean Region and the national obligations for governments under the Convention on Cultural Biodiversity.
- Ms Amrikha Singh, Programme Manager for Sustainable Development at the CARICOM Secretariat gave a perspective from the Caribbean Region on the many issues affecting biodiversity and the frameworks for intervention in the region.
- Aria St Louis, CBD Focal Point for Grenada spoke about Caribbean preparedness for the post-2020 Global Biodiversity framework and the major issues facing the region.
- Gina Bonne from the Indian Ocean Commission gave the perspective of biodiversity from the Small Island Developing States in the region and the challenges of protecting biodiversity in a region that is affected by economic and environmental factors.
- Ilham Atho Mohamed, Assistant Director at the Ministry of Environment of the Maldives gave the biodiversity perspective from Maldives and the relevance of IPBES for policymakers, stakeholders and negotiations in the Indian Ocean Region.

These webinars are aimed at Parliamentarians, parliamentary staff and those working to promote legislative responses and international decision making with specific focus on Small Island Developing States.

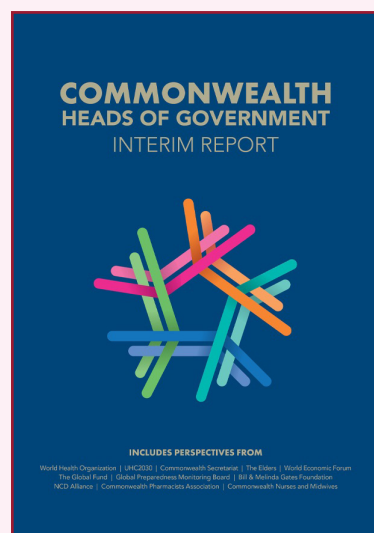
To view the CPA/UNESCO webinars visit [www.cpahq.org/cpahq/youtube](http://www.cpahq.org/cpahq/youtube).



## New Commonwealth interim report provides reflections on democracy and development during postponed CHOGM 2020 week

Leaders of the Commonwealth's 54 countries were due to meet in June 2020 in Kigali, Rwanda, at the biennial Commonwealth Heads of Government Meeting (CHOGM). Unfortunately, due to the COVID-19 pandemic, the meeting has been postponed, however a new report has been launched to reinforce the values and aspirations of the Commonwealth and discuss shared goals of democracy and development.

The CHOGM 2020 Interim Report features perspectives from Commonwealth Heads of Government and global leaders on a range of topics including good governance, trade and economic growth, ICT, youth, education, and the environment.



The Chairperson of the CPA Executive Committee, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon writes in the report in an article titled *'Parliaments and Democracy in an Evolving Commonwealth'* about the important work of the Commonwealth Parliamentary Association in supporting different Parliaments and Legislatures across the



Commonwealth to develop fundamental democratic values and practices for the benefit of all.

The impact of COVID-19 dominates discussions in the report, with many authors calling for world leaders to put aside national self-interest and work collaboratively to minimise the devastating socio-economic impacts of the pandemic. The progress of the Sustainable Development Goals in this 'Decade of Action' also remains a key concern. Contributors include: The World Health Organisation; Commonwealth Secretariat; The Elders; World Economic Forum; UN Women; The Global Fund; Bill and Melinda Gates Foundation; Commonwealth Pharmacists Association; and Commonwealth Nurses and Midwives.

The CHOGM 2020 Interim Report is published by Commonwealth Business Communications and is available to download for free. Please visit the following website link to download a copy: [http://www.commonwealthcbc.com/publications/commonwealth-heads-of-government-interim-report?last\\_publication\\_downloaded=1660](http://www.commonwealthcbc.com/publications/commonwealth-heads-of-government-interim-report?last_publication_downloaded=1660).

## 54 nations of the Commonwealth issue joint statement on the COVID-19 pandemic

Commonwealth leaders from all 54 members issued a joint statement on the COVID-19 global pandemic on 16 July 2020 and outlined the steps that member states are taking to fight the pandemic and to work together in support of each other and broader global efforts. The joint statement committed to "working transparently and constructively within the Commonwealth family and with our international partners to address COVID-19 and its impacts; build resilience, particularly for developing economies and the most vulnerable countries; and ensure no one is left behind."

The statement went on to outline actions under a number of key areas including:

- Upholding our Fundamental Principles
- Contributing to the Global Health Response
- Safeguarding our Future Prosperity
- Addressing International Trade Disruptions
- Protecting the Future of Small and Vulnerable States
- Global Cooperation and Multilateralism

The Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC said: *"As the Coronavirus swept through the world spreading in ways we could not have imagined, the Commonwealth can be immensely proud of the way our leaders, governments and institutions have worked together to respond. And we should also be proud of the innovative partnerships and new approaches we have taken to protect our healthcare systems and the well-being of all our people – especially those who are most at risk. For many of our member states the combined social, health and economic impacts of this virus joined with the growing threat of climate change mean they are facing a fight for their very existence. But as we are all impacted by the global pandemic, we must all remain united against pandemic and ensure that the legacy left after its devastating course has run should be one of peace, prosperity and development."*

The statement also looked forward to deepening collaboration at the next Commonwealth Heads of Government Meeting and associated Commonwealth fora in Rwanda in 2021.



## CPA Secretary-General Elect speaks of the importance of the SDGs with Commonwealth Scholars at UK Parliament event

The Secretary-General Elect of the Commonwealth Parliamentary Association (CPA), Mr Stephen Twigg, joined Government Ministers, Parliamentarians and other guest speakers at the annual event for Commonwealth Scholars on 3 July 2020. The event offered a rare opportunity for young people on the scheme to hear from Members of the UK Parliament and gain an insight into the role of Parliament in UK politics.

The CPA Secretary-General Elect spoke about the CPA's commitment to the Sustainable Development Goals (SDGs) and how this linked to the Commonwealth Scholars and the work that they will go on to do after their studies. The former CPA Chairperson (2014-2017), Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of the Parliament of Bangladesh was just one of many examples of Commonwealth Parliamentarians who have benefited from the Commonwealth Scholarships scheme over the years.

Lord Ahmad of Wimbledon, the UK's Minister of State for the Commonwealth and United Nations spoke about the work of his government departments, the strength and diversity of the Commonwealth and also congratulated the CPA Secretary-General Elect on his new appointment and looked forward to working further with the CPA Headquarters team.

Other guest speakers at the virtual event included: Rt Hon. Harriett Baldwin MP, former Minister of State for Africa and International Development; Rt Hon. Lord Luce, Patron of the Council for Education in the Commonwealth and a former FCO Minister and Arts Minister; Dr Alastair Niven, Chair of the CSFP Support Group; Richard Middleton, Chair of the Commonwealth Scholarship Commission in the UK; and Dr Joanna Newman, Secretary-General of the Association of Commonwealth Universities (ACU).

The virtual event featured talks from guest speakers and was followed by a Q&A session and a virtual tour of the Palace of



Westminster. The event is organised by the Commonwealth Scholarship Commission in the UK (CSC), the Council for Education in the Commonwealth's (CEC) CSFP Support Group and the CPA UK Branch.

The Commonwealth Scholarship Commission in the UK (CSC) provides the main UK government scholarship scheme led by international development objectives. The CSC is an executive non-departmental public body, sponsored by the UK's Department for International Development (DFID). The CSC operates within the framework of the Commonwealth Scholarship and Fellowship Plan (CSFP) and is a vivid demonstration of the UK's enduring commitment to the Commonwealth. Visit <http://cscuk.dfid.gov.uk> for more information.

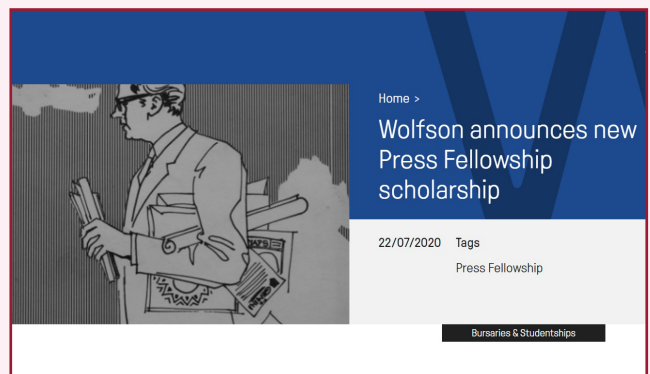
## Commonwealth Journalists Association launch new Press Fellows scholarship for young journalists in memory of CJA co-founder

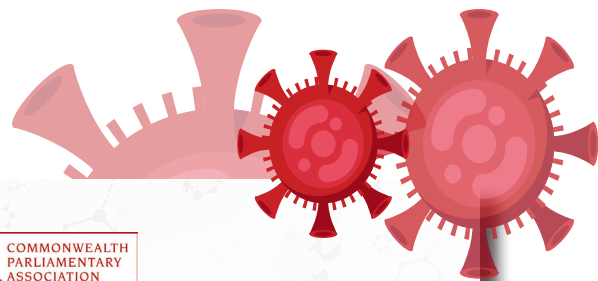
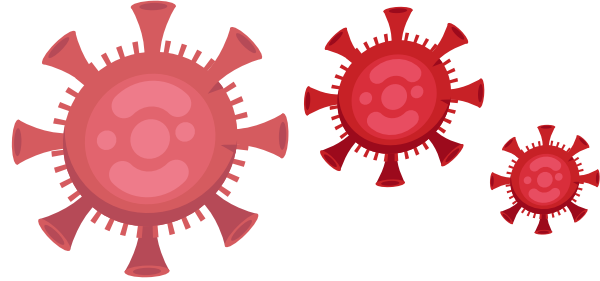
The Commonwealth Journalists Association (CJA) has announced a new bursary with Wolfson College, Cambridge in memory of CJA co-founder, Derek Ingram. The Fellowship was recently established in honour of the long and distinguished career of Derek Ingram and his outstanding work as a Commonwealth journalist.

Derek Ingram, who died in 2018 aged 92, specialised in writing about the Commonwealth and was respected by fellow journalists, particularly for his role in creating the Gemini news agency, which produced written material about Commonwealth countries from 1967 onwards. He was the co-founder of the CJA and served as its President from 1980 to 1990. He was passionate about promoting media freedom in Commonwealth countries and mentoring journalists from member states. His legacy is being used to set up a bursary in his name to help journalists in Commonwealth countries under the Press Fellowships programme at Wolfson College.

Rita Payne Chair, CJA-UK President Emeritus Commonwealth Journalists Association said: "We hope the bursary will help talented journalists with limited means to spend time at Wolfson College and benefit from the opportunity to learn about developments in the media, advances in digital technologies and issues of freedom of expression more generally within the UK and to pass on what they have learned to other journalists in their home countries."

The first award will be made for a journalist to study in 2021. Visit [www.wolfson.cam.ac.uk](http://www.wolfson.cam.ac.uk) to contact the College.

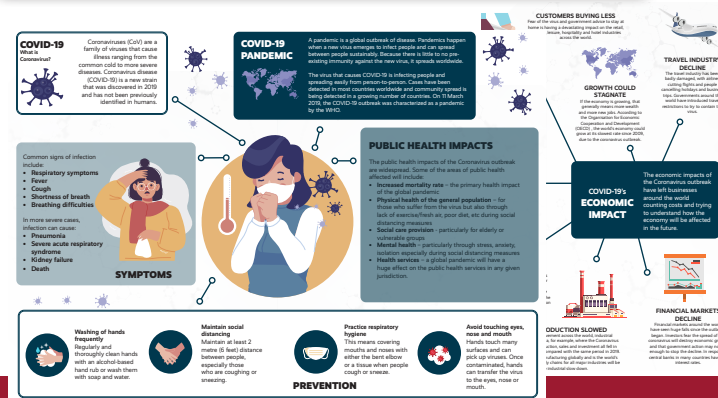
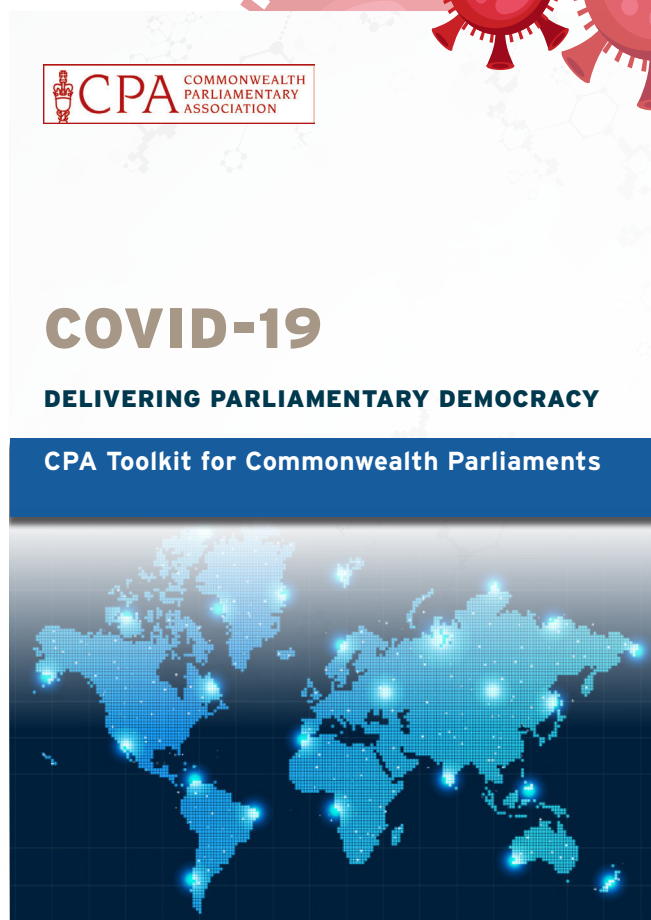




# CPA TOOLKIT FOR COMMONWEALTH PARLIAMENTS ON THE **COVID-19** **PANDEMIC** AND DELIVERING PARLIAMENTARY DEMOCRACY

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The outbreak of COVID-19 (Coronavirus) and its spread to at least 180 countries, has consequently plunged many Parliaments and Legislatures across the world into a state of emergency. Commonwealth Parliaments and Parliamentarians are grappling with many different issues both to implement the emergency health measures during this global pandemic while at the same time looking at new ways to conduct debates, scrutinise and pass legislation, hold parliamentary committees and question the actions of their governments.

**THE 'CPA TOOLKIT FOR COMMONWEALTH PARLIAMENTS AND LEGISLATURES ON THE COVID-19 (CORONAVIRUS) PANDEMIC AND DELIVERING PARLIAMENTARY DEMOCRACY'** toolkit provides various measures and recommendations that can be adopted by both Parliaments and Parliamentarians in order to continue to deliver on the Legislatures' role of scrutinising legislation and delivering democracy during a global pandemic.

## EDITORIAL: THE COMMONWEALTH AND THE UNITED NATIONS: WORKING TOGETHER TO TACKLE TODAY'S GLOBAL ISSUES

By The Editor of *The Parliamentarian*, Mr Jeffrey Hyland.

Observer status for the Commonwealth Secretariat at the United Nations was adopted by the UN General Assembly on 18 October 1976. Many regional and international organisations are also observers in the work and annual sessions of the UN General Assembly and maintain permanent offices at the UN Headquarters in New York, USA including the African Union, Caribbean Community (CARICOM), Cooperation Council for the Arab States of the Gulf, Economic Community of Western African States, European Union, Inter-Parliamentary Union, International Criminal Court, International Organization of la Francophonie and the League of Arab States.

The status of a Permanent Observer is based purely on practice, and there are no provisions for it in the United Nations Charter. The practice dates from 1946, when the UN Secretary-General accepted the designation of the Swiss Government as a Permanent Observer to the United Nations. Observers were subsequently put forward by certain States that later became United Nations Members, including Austria, Finland, Italy, and Japan. Switzerland became a UN Member on 10 September 2002. Permanent Observers have free access to most meetings and relevant documentation.

As a comparison, at the beginning of the 17<sup>th</sup> session of the UN General Assembly in 1962-63, there were 13 Commonwealth countries at the United Nations, constituting one-eighth of the total membership. During the 17<sup>th</sup> session, Jamaica, Trinidad and Tobago and Uganda became Members of the UN, closely followed by Kenya and Guyana who would join in the following years. Today, there are 193 member states that are members of the United Nations including all 54 countries of the Commonwealth – making up almost a third of the membership.

The Commonwealth has closely aligned to the United Nations in many aspects – for example, in 2015, the Commonwealth strongly supported the UN Security Council Resolution 2250 on Youth, Peace and Security, as it aligned closely with the final Communiqué of the Commonwealth Heads of Government Meeting (CHOGM) that had taken place in Malta the previous month.

The UN resolution stated that youth-led organisations are important partners in global efforts to prevent radicalisation and counter violent extremism and it also supported the youth-led peacebuilding and conflict-prevention programmes that are essential to good governance and the rule of law. The CHOGM Communiqué stated that “young people, who comprise 60% of the Commonwealth’s population, have an important role in building stable, secure and prosperous societies, and that Commonwealth programmes can help raise awareness of the risk of radicalisation and prevent young people from embracing violent extremism, radicalisation and terrorism in all its forms and ramifications.”

In December 2019, the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC and United Nations Deputy Secretary-General, Her Excellency Amina Mohammed formally committed their organisations to work more closely together with the signing of a Memorandum of Understanding. The document outlines how the two organisations will work together on pressing global issues such as governance and peace, sustainable development, inclusive growth, climate change, ending violence against women and girls and sports for development and peace.

In a joint statement, the Commonwealth Secretary-General and the Deputy UN Secretary-General said: “*The United Nations and Commonwealth have long shared a genuine relationship based on shared goals and values. We are today proud to enhance this friendship and take it to a new level which the delivery of the 2030 Agenda demands. As we turn to a new decade of action, the challenges we face in order to deliver on the world that we want by 2030 demand we address sustainable development, climate change, improving governance and promoting peace.*”

Image: Commonwealth Secretariat



The United Nations General Assembly (UNGA) is one of the six principal organs of the United Nations, serving as the main deliberative, policy-making, and representative organ of the UN. The UNGA is the only UN organ where all member states have equal representation. The UN General Assembly meets under its President or the UN Secretary General in annual sessions at UN Headquarters in New York, USA.



Image: Shutterstock\_322013945\_credit: Drop of Light

Working together in tackling climate change and ocean conservation is also an area where the Commonwealth and the United Nations have had a significant influence. In 2018, the nations of the Commonwealth, covering one third of the world's oceans, signed the Commonwealth Blue Charter, a landmark agreement to actively co-operate on ocean governance.

At the 43<sup>rd</sup> session of the UN Human Rights Council in February 2020, the Commonwealth Secretary-General, Rt Hon. Patricia Scotland, QC said: *"The stark reality for many states is that their people are losing lives, facing malnutrition, unable to find clean water and their homes are disappearing right before our eyes. From the devastation of hurricane Dorian in The Bahamas last year to the wrath of bushfires in Australia, from severe drought in Namibia to islands inundated with king tides in Kiribati, climate change is a threat to the world and an emergency for small states."*

The Commonwealth Secretary-General highlighted to the UN Human Rights Council that the climate crisis is a global human rights challenge and that the Commonwealth's 54 countries, 32 of which are small states, are facing a climate change emergency that is

costing lives and presenting an *"undeniable human rights challenge"* to the world.

Regular interaction between the Commonwealth and the United Nations ensure that the two global organisations are working together to tackle today's global issues.

#### References:

- <sup>1</sup> <https://digitallibrary.un.org/record/644558?ln=en>
- <sup>2</sup> <https://www.un.org/en/sections/member-states/about-permanent-observers/index.html>
- <sup>3</sup> The Commonwealth and the United Nations by Thomas B. Millar - <https://doi.org/10.1017/S0020818300011607> - Published online by Cambridge University Press: 22 May 2009. Copyright – the IO Foundation, 1962.
- <sup>4</sup> <https://www.un.org/youthenvoy/2015/12/the-commonwealth-welcomes-un-security-resolution-2250-on-youth-peace-and-security/>
- <sup>5</sup> <https://thecommonwealth.org/media/news/commonwealth-and-united-nations-sign-new-agreement>
- <sup>6</sup> <https://thecommonwealth.org/media/news/climate-crisis-global-human-rights-challenge>

## THE COMMONWEALTH AND THE UNITED NATIONS: 75 YEARS OF INTERNATIONAL SYMBIOSIS

I am deeply honoured to have been invited to contribute to this special issue of *The Parliamentary* on the relationship over the years between the Commonwealth and the United Nations, on this, its seventy-fifth anniversary. I value the invitation all the more, in that I am now the only World War II veteran still in active diplomatic circulation, and as a diplomat I have been concerned with both the Commonwealth and the United Nations for many years.

### I: A case of symbiosis

The Commonwealth/UN relationship can be summed up in a single word: *Symbiosis*; in the sense of "a close and long term (biological) interaction between two dissimilar organisms." That proposition needs unpacking.

The Commonwealth defies easy definition. Various imaginative suggestions have been offered. Is it a club? Or a church? Or a beehive? Or, indeed, "the mother of all networks"? The answer has to be "all of them, simultaneously". For one thing is clear: The Commonwealth is organic, an *organism*, as distinct from an *organisation*, to a degree which is not characteristic of any other significant international entity.

### 'Commonwealth reliably does as Commonwealth reliably is'

Whatever the difficulties of *definition*, the distinctive nature of the Commonwealth emerges from *what it does*, at every level, and in almost every direction, and *the way in which it does it*. Chief among its virtues, in my experience, are *respect for the issues and for the process* which is *accessible, efficient and transparent*. The two go together.

There is no better way of inspiring trust in what you are and what you do, than to be known on the one hand to be objective and thorough in analysing to the *necessary depth* and *assessing in the necessary width*, the problems of current international concern; and, on the other, to be frank and competent in handling them in

the general interest. Spin in such circumstances is not merely unnecessary: it is counterproductive.

### Commonwealth interaction with the United Nations

The UN is above all, the result of an almost thirty year period of strife, suffering and adversity - from 1914 to 1945 - and to a lesser degree, of the experience of the failures and the disappointments, as well as the successes, of the League of Nations. Amid far too much half-heartedness and apathy on the part of the League membership as a whole, the six Commonwealth members - Australia, Canada, India, New Zealand, South Africa and the United Kingdom - were active and convinced participants.

The UN inherited from the League a fundamental realisation that world peace is much more than the absence or negation of war. Achieving and maintaining it had to bring the nations together in a more inter-active and organic way - as is enshrined in the clutch of undertakings and obligations typical of a covenant, rather than in the wording of a treaty alone.

### Negotiating with 'the Bear'

The USSR (Union of Soviet Socialist Republics) was not much given to organic arrangements with other countries, unless it was a matter of swallowing them up. This, therefore, was an aspect of the quest on which the USA and the UK could not, and did not, greatly dwell in their wartime discussions with their Soviet allies about the organisation of post-war security. Nonetheless, the draft Charter presented to the San Francisco Conference in April 1945<sup>1</sup>, by the 'Great Powers' (USA, UK, USSR and Nationalist China) were of a warmth and constructiveness not previously evident in diplomatic texts. The UN Charter was a proto-organism *de facto*.

### Establishing new norms for the behaviour of nations

This was especially true of Chapters IX and X, dealing respectively with international economic and social co-operation, and the

**Sir Peter Marshall** is a former Commonwealth Deputy Secretary-General (1983-1988). He joined the UK Diplomatic Service in 1949, rising to become Economic Under-Secretary in the UK's Foreign and Commonwealth Office. He also held positions at the United Nations in New York and was the Permanent Representative of the United Kingdom to the United Nations in Geneva (1979-83). He has also served as the Chair of the Royal Commonwealth Society and the Joint Commonwealth Societies Council. He is the author of 'Public Diplomacy' published in 1997.

role of the Economic and Social Council. Their essence is the commitment (a) without reservation; (b) by all the members of a universal organisation; and (c) for the very first time - to substitute collective sustained pursuit of the common good for previous traditional policies of pursuing their supposed individual national interests at the incidental expense of anyone else, the devil taking the hindmost.

In the language of game theory, the signing on 26 June 1945, in San Francisco, of the United Nations Charter converted international relations, for the first time ever, from a zero-sum game into a positive-sum game.

#### The Preamble: the San Francisco 'piece de resistance'

Meeting in London on the eve of the San Francisco Conference, the Commonwealth delegations backed an inspirational proposal from the then South African Prime Minister, Jan Christiaan Smuts, a veteran champion of the League. He argued that the draft Charter prepared by the 'Great Powers' at Dumbarton Oaks<sup>2</sup>, needed a Preamble, to make its noble and innovative provisions more readily understandable and meaningful for millions of ordinary people deeply conscious of the enormity of what they had endured.

The point is made crystal clear by the first words of the Preamble: *"We the peoples of the United Nations"* - a formula never previously used in a major treaty - *"determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind..."*

With strong support from the Commonwealth delegations, Smuts achieved his objective. As adopted, the Preamble, a mere 200 words in length, is perhaps the greatest text in modern diplomacy. It embodies in the highest degree, the Commonwealth virtues to which I referred earlier. It is the epitome of the positive-sum, responsible approach to the conduct of international relations. It has been the Pole Star of the United Nations and of international life ever since. We ignore it at our peril. I would be at fault if I did not reproduce it in full.

#### Recognising achievement

The labours of the San Francisco Conference were so multifaceted, so intense and so full of promise that it required - indeed it still requires - a great effort of the imagination to grasp their full significance. It can thus be of no surprise that the iconic quality of the Preamble was not immediately recognised. On the other hand, the significance of the Charter as a whole was apparent from the outset.

As far as the UK is concerned, there has never been a better report by a British delegation to a major conference than that rendered by our powerful team in San Francisco.

## Charter of the United Nations, signed on 26 June 1945

### Preamble

We the peoples of the United Nations determined

- to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and
- to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and
- to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and
- to promote social progress and better standards of life in larger freedom,

And for these ends

- to practice tolerance and live together in peace with one another as good neighbours, and
- to unite our strength to maintain international peace and security, and
- to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and
- to employ international machinery for the promotion of the economic and social advancement of all peoples,

Have resolved to combine our efforts to accomplish these aims

- Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.



Likewise, there will never be a better Foreign Affairs debate in the UK House of Commons than that of 22-23 August 1945, at which approval was given to the UN Charter. It was opened by the then UK Prime Minister, Rt Hon. Clement Attlee, MP. Rt Hon. Anthony Eden, MP led for the Opposition. They had been joint leaders of the UK delegation, in their respective capacities of Lord President of the Council and Foreign Secretary in the wartime Coalition Government.

Rt Hon. Ernest Bevin, MP as UK Foreign Secretary wound the debate up magisterially. He was my first boss at the UK Foreign Office. We treasured him, and his salty remarks, the most incisive of which, for the sake of propriety, will doubtless have to be preserved by oral tradition, rather than in any official record.

## II: The UN and the Commonwealth: partners on an unfinished journey

Let us fast-forward to 26 June 2020, the 75<sup>th</sup> anniversary of the signing in San Francisco of the UN Charter. *"We, the Heads of State and Government, representing the peoples of the world"*, adopted a Declaration (post-dated to 21 September 2020, when they would normally have gathered in New York, at the beginning of the regular annual session of the UN General Assembly), *"on the Commemoration of the seventy-fifth anniversary of the United Nations."*

It is an outstanding document. It is superbly drafted. The first six paragraphs and the concluding passage survey the situation from 1945 to the present day, and mark out the way ahead, in confident but sober terms. The Declaration notes that more than one million women and men have served under the UN flag in more than 70 peace-keeping operations. The achievements in the other two

great areas of UN activity - development and human rights - are summarised without triumphalism. Failures are recognised. The tone is sober. *"We are not here to celebrate; we are here to take action."* And to listen: *"through the Global Conversation launched by the Secretary-General this year, we have listened to the concerns and aspirations of the people. We are here to respond, to ensure the future we want and the United Nations we need."*

The 'big picture' could not be clearer. Paragraph 1 of the Declaration reads as follows:

*"We the Heads of State and Government, representing the people of the world, have gathered on*

*September 21, 2020, to commemorate the seventy-fifth anniversary of the United Nations. We do so with a sense of awe and deep respect for the founders who created this organisation. There is no other global organisation with the legitimacy, convening power and normative impact of the United Nations. No other global organisation gives hope to so many people for a better world and can deliver the future we want. The urgency for all countries to come together to fulfil the promise of the nations united, has rarely been greater."*

To those of us who have laboured long in the vineyard, that passage is highly encouraging. But perhaps the style in which the whole declaration is written is even more significant. The first-person plural, used initially in the Commonwealth-inspired Preamble alone, is now standard for the UN as a whole. Indeed, enthusiasts might say that the Commemorative Declaration is the Preamble writ large. It imparts to the inter-governmental statements and commitments an aura of *recognition of mutual responsibility and accountability* which traditional third-person formulations cannot provide.

That aura derives uniquely from the acceptance without reservation by the member states of the provisions of the United Nations Charter. If you ignore it, nothing replaces it. Shakespeare saw the point, of course: *"take but degree away, untune that string, and hark what discord follows!"*<sup>3</sup>

### **'Good news is no news', the watchword of the uninvolved**

For the media of today, good news is by and large, no news. If things are going well, we must expect their praises to remain unsung. The good work the UN system has done, and continues to do, all over the world to make life better and more fulfilling for ordinary people,

especially young people, is taken for granted. Should there be difficulty or trouble, however, the newshounds are on to it in a trice.

## Where the Commonwealth fits in

Where does the Commonwealth fit in? The answer is 'almost everywhere'. The UN Secretariat has been greatly enriched by numerous Commonwealth figures, including one much-loved UN Secretary-General, Kofi Annan (Ghana). Commonwealth delegations do not work with the solidarity of a bloc, but rather through a diversity of relevant affinities, mixed with perspective, moderation and humour.

While examples of Commonwealth service rendered to the UN at micro-level are legion, it is perhaps at macro-level that the contributions are more significant. I cite three.

## Jawaharlal Nehru and 'bringing a touch of healing to a troubled world'

First, the London Declaration of April 1949, by the Commonwealth Prime Ministers, containing the formula by which India retained membership of the Commonwealth, while becoming a republic. This would have sufficed on its own to mark out Jawaharlal Nehru, India's first Prime Minister, as a world statesman.

Nehru made the highly relevant additional observation that the Commonwealth could "*bring a touch of healing to a troubled world.*" Resolving the appalling situation in Southern Africa was a notable case in point.

But that is only the half of it. In explaining the Indian position, the Declaration was at pains to emphasise that nothing else had changed. The mere suggestion that something is not to be taken as a precedent suffices to ensure that it immediately becomes standard practice. That is what happened. The 'modern' Commonwealth emerged overnight. Nehru had put an end to *Britannia Imperatrix* at a stroke.

The implications of this dismantling of the British Empire were not lost on the UN membership. There was, and is, something of a queue of applicants to the Commonwealth for membership from countries which had had no connection with the British Empire. The venue of the next Commonwealth Heads of Government Meeting (CHOGM) in Rwanda illustrates the point. The dissolution of Soviet Empire in 1990 occasioned lively inquiries from behind the old Iron Curtain about how the Commonwealth worked.

## Celebrating the 40<sup>th</sup> anniversary of the United Nations, 1985

Second, there was established a Committee to prepare a draft Declaration for adoption by the UN General Assembly at its regular session in 1985 to mark the United Nations' 40<sup>th</sup> anniversary. Disagreements were so strong that the Committee eventually abandoned its task.

The Commonwealth Secretariat were unwilling to leave it at that. Commonwealth Heads of Government met later in the year at Nassau in The Bahamas. They approved at once the draft Declaration submitted to them, and published it as '*The Nassau Declaration on World Order*'.<sup>4</sup> It was conveyed to the UN General Assembly. It still reads rather well. It was the precursor of the Declarations adopted successively by the UN General Assembly, after the end of the Cold War, in 1995, the Millennium, 2005 and 2015.

## The Commonwealth Charter: advance notice of forthcoming attractions

The Group of Eminent Persons set up at the CHOGM in Trinidad and Tobago in 2009 to look to the future, strongly recommended the adoption of a Commonwealth Charter. A text was finally agreed between governments in December 2012 and signed by Her Majesty Queen Elizabeth II as the Head of the Commonwealth at Marlborough House on Commonwealth Day, 2013.

The Charter is a many-splendoured thing. It naturally uses the first-person plural. Its coverage of the issues individually is masterly. Its grasp of their complex inter-relationships is deeply reassuring. It reaffirms "*the core values and principles of the Commonwealth as declared by this Charter*" in the shape of a list of sixteen target items and priorities. The marked similarity between these and the seventeen Sustainable Development Goals (SDGs) for 2030 identified in UN General Assembly Resolution 70/1 of 25 September 2015 - i.e. two years later - is unlikely, shall we say, to have been a matter of pure chance.

Yet, ironically, the Commonwealth Charter makes no mention of the symbiosis between the Commonwealth and the United Nations. It was perhaps a sign of the times that the references in the Charter to the United Nations, where they occur, are functional, rather than general: they relate to specific UN activities and priorities, rather than to its irreplaceable over-arching authority.

The Commonwealth Charter speaks instead of "*influencing international society.*" In the brief UK White Paper, under cover of which it was presented to the 'mother of Parliaments' at Westminster, the adjective 'overarching' is applied to the Commonwealth Charter itself, describing it as "*bringing together the values and commitments of the Commonwealth that are set out in more detail in previous declarations and affirmations.*"

Does this blind spot about the UN really matter? Yes, it does, for the ongoing reasons explained in Paragraph 1 of the 2020 Declaration quoted above. If democratic governments, for reasons of current expediency, of lack of familiarity with the background, or of inability to choose the appropriate priorities, evade or ignore their responsibilities of the moment, the bill will be paid later - by the peoples.

## III: Going forward together

We tend to think that there are three broad ways in which the Commonwealth collectively, be it governmentally or non-governmentally, or both, can be of help to the United Nations. First, as an 'inter-regional sub-set': we are drawn from every quarter of the earth's surface; we are of every size and political and social configuration; we are of every degree of economic and technological sophistication; our world-wide discussions with one another, together with the innumerable affinities which enrich them, can thus be of particular representative



A display by the UNA-UK Association to mark the 75<sup>th</sup> anniversary of the signing of the United Nations Charter in front of the Methodist Central Hall in Westminster, London, UK. Following the signing of the UN Charter in San Francisco, USA on 26 June 1945, the first UN General Assembly was held at the Methodist Central Hall from 10<sup>th</sup> January to 14<sup>th</sup> February 1946 and since then many UN Secretaries-General have given speeches in the building.



The author of this article, Sir Peter Marshall (right) is joined by the Revd Tony Miles (left), the newly appointed Superintendent at Methodist Central Hall viewing the 'UN at 75' display outside the building.

value to the UN membership as a whole, when handling issues of world wide concern.

Climate change is clearly one such area. The next COP Summit is due to be held in Glasgow, Scotland in November 2021, a year later than originally scheduled.

Secondly, we can act as pilot fish for the UN as a whole. During Sonny Ramphal's long and highly productive term as Commonwealth Secretary-General (1975-1990), there was a 'bakers' dozen' of Expert Reports mainly on international economic questions. They were of particular relevance because of persistent clashes between the developed countries of the North and the developing countries of the South.

The last of these reports, '*Climate Change and Sea-level Rise*' (1988-1989), is perhaps the most interesting of them all, in view of the subsequent worldwide developments, with which we are all too familiar. It originated from a discussion at the 1987 CHOGM in Vancouver, Canada, introduced by President Maumoon Abdul Gayoom of the Maldives (1978-2008), where the maximum height of the land does not exceed two metres above sea level. President Hussain Muhammad Ershad of Bangladesh (1983-1990) explained the vast problems of flooding which assailed his country. The rest is history.

Thirdly, while the Commonwealth has never presumed to try and negotiate for the United Nations, circumstances may contrive that the Commonwealth is well placed to help the UN to negotiate. When the participants in a dispute are at loggerheads, the most useful thing a well-respected, well-disposed and well-informed outsider can do is assist in the definition, with as much precision as possible, of the key points of difference between the two. You

might describe it as *'bringing a touch of healing to a troubled situation'*.

In which of these established ways is the Commonwealth likely to be of assistance to the United Nations in the future? The answer has to be *'all of them, in one way or another'*. The agenda outlined in the Commemorative Declaration is so broad, yet so specific and so integrated, that the scope for collective Commonwealth participation is wide indeed.

This makes one all the more impatient to see what transpires at the next CHOGM. It is difficult to believe that Coronavirus (COVID-19) and climate change will not figure prominently. Nor should we forget the success of the massive Commonwealth Summit of 2018 in London, UK, held improbably in a pre-seasonal heat wave. Its documentary outcome is impressive by any standards, not least as regards cyber-security and ocean management.

#### Inalienable human rights

Important as are all of these matters, individually and collectively, instinct suggests that the Commonwealth may in fact find itself dwelling on something which may initially appear somewhat esoteric, yet which is of fundamental importance to our future together: namely, *'not only how we treat one another, but how we think about one another'*.

The US Declaration of Independence picks out, from among the 'inalienable' rights with which we are endowed by our Creator, three items: life, liberty and - supremely enigmatically - *'the pursuit of happiness'*, which we may take *inter alia* to mean *'an existence unblighted by the behaviour, the attitudes or the mindsets of others'*.

The first of the specific undertakings set out in the Commemorative Declaration is *'we will leave no one behind'*, a concept deriving from the Sustainable Development Goals. The wording of the undertaking is as firm as it is perceptive. Its implications are absorbing. It must surely extend to all those who are in any way disadvantaged, or marginalised, and also to those who *experience* exclusion or alienation for whatever reason, and in whatever form. We can think of this as a Fifth Freedom, to add to the Four Freedoms set out by US President Franklin D. Roosevelt in his State of the Union Message of January 1941, *"Freedom from Alienation"*.<sup>5</sup>

There is no suggestion that this approach somehow replaces direct action to combat present ills, especially racism. Rather it complements it.

#### IV: Envoi

When the UN Charter was signed in 1945, no-one was in any doubt that the success of the venture would be greatly dependent on public opinion in the member states, as expressed through their

respective legislative bodies. However different conditions may be seventy-five years later, the proposition is no less true. It may indeed be truer, in as far as internal affairs have become so much more entangled with foreign affairs, and events abroad impinge so much more on life at home.

As regards the role of the Commonwealth in the United Nations, I bring this offering to a close by recalling the terms of the very first recorded statement by the Commonwealth Prime Ministers collectively - in May 1944, on the eve of D-Day during the Second World War. They - Messrs Churchill, Mackenzie King, Curtin, Fraser and Smuts - note that this was the first time they had been able to meet during the war. They record that they were joined in their discussions by the Indian representatives at the War Cabinet and the Prime Minister of Southern Rhodesia.

In their concluding paragraph, they state that *"they were met in that unity which finds its strength not in any formal bond but in the hidden springs from which human action flows."* It is inconceivable that anyone but Churchill could have drafted that sentence. The same can be said of the final prophetic word: *"we believe that when victory is won and peace returns, this same free association, this same unity of purpose will make us able to do further service to mankind."*

A year later the Commonwealth produced the iconic Preamble to the UN Charter. The possibility of further service cannot be ruled out.

#### References:

<sup>1</sup> United Nations Conference on International Organization, 25 Apr 1945 – 26 Jun 1945.

<sup>2</sup> The Dumbarton Oaks Conference or, more formally, the Washington Conversations on International Peace and Security Organization was an international conference at which the United Nations was formulated and negotiated among international leaders. The conference was held at Dumbarton Oaks, in Washington, D.C. USA, from 21 August 1944 to 7 October 1944.

<sup>3</sup> William Shakespeare (1564–1616). *Troilus and Cressida* (1602), Act I, Scene 3.

<sup>4</sup> The Nassau Declaration on World Order – see <https://thecommonwealth.org/nassau-declaration-world-order>

<sup>5</sup> The Four Freedoms were goals articulated by United States President Franklin D. Roosevelt on 6 January 1941 in an address that became known as the Four Freedoms speech (technically the 1941 State of the Union address). He proposed four fundamental freedoms that people *"everywhere in the world"* ought to enjoy: freedom of speech; freedom of worship; freedom from want; freedom from fear.

At the request of the author, this article is published in memoriam of Ms Patsy Robertson, former Director of Information at The Commonwealth Secretariat and Official Spokesperson for the Commonwealth (1983-1994) who passed away recently. She was also Chair of the Commonwealth Association and The Ramphal Institute.

## THE UNITED NATIONS AND ITS IMPACT IN COMMONWEALTH COUNTRIES: A VIEW FROM THE SPEAKER OF INDIA'S LOK SABHA

Established in 1945 to usher in a new World Order in a world faced with damnation and ruination after two great wars, the United Nations is completing 75 years of glorious service as a multilateral platform for the comity of nations later this year.

Over these seven and a half decades, through its untiring initiatives and endeavours, it has reaffirmed the faith of the international community in peaceful coexistence, international cooperation, justice and human rights including the dignity of the individual.

The United Nations Organization stands testimony to the shared values and interests of countries in a globalized world order and their ability to cooperate for the mutual benefit of all. The UN Charter provides and employs the international machinery for the promotion of the economic and social advancement of all people.<sup>1</sup>

It seeks to promote and encourage respect for human rights and fundamental freedoms for all without distinction of race, sex, language, or religion. It has sought to promote social progress and a better standard of living for people across the world. The UN provided the hope of self-determination to millions of subjugated people across the globe particularly those suffering from the colonial yoke.

India, being one of the 26 original signatories to the United Nations Declaration was also among the 51 original founding member states who signed the UN Charter in San Francisco, USA on 26 June 1945, based on which the UN came into being on 24 October 1945.

The Commonwealth in its previous *avatars* predates the UN. However, the formal Commonwealth of Independent Countries also emerged around the same time as the UN in 1949. The 1949 London Declaration made it clear that republics and other countries could be part of the Commonwealth.<sup>2</sup> The decision to retain the Commonwealth membership was one of independent India's first major foreign policy decisions. It was not only a defining moment in the evolution of the Commonwealth but also opened the door for a larger role for India in international politics. Presently, more than half of Commonwealth countries have a republican form of government.

There is a lot of commonality between the Commonwealth Charter and the objectives set out in the UN Charter. The UN and the modern Commonwealth are both more than 70 years old and are committed to promoting international peace and security, human rights and sustainable development. Both seek to protect and preserve Mother Earth.

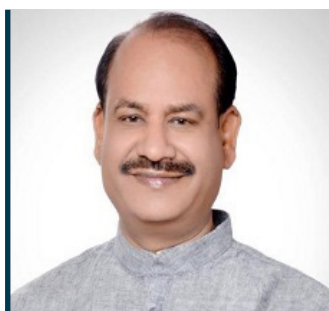
Time and again, the Commonwealth has expressed its solidarity with the UN and a commitment to its Charter. The 1951 Declaration by the Commonwealth Prime Ministers succinctly sums up this convergence - *"Our support of the United Nations needs no re-affirmation. The Commonwealth and the United Nations are not inconsistent bodies. On the contrary, the existence of the Commonwealth, linked together by the ties of friendship, common purpose and common endeavour, is a source of power behind the Charter."*<sup>3</sup>

The Declaration of Commonwealth Principles Singapore, 1971 states: *"We believe that international co-operation is essential to remove the causes of war, promote tolerance, combat injustice, and secure development among the peoples of the world; we are convinced that the Commonwealth is one of the most fruitful associations for these purposes."* It further says: *"We believe that international peace and order are essential to the security and prosperity of mankind; we therefore support the United Nations and seek to strengthen its influence for peace in the world, and its efforts to remove the causes of tension between nations."*<sup>4</sup>

Concerned at the diminishing capacity of international institutions to play an effective role in world affairs, the Commonwealth Heads of Government, in their historic 1983 Goa Declaration<sup>5</sup>, pledged renewed support for the principles enshrined in the United Nations Charter.

The Commonwealth is strongly anchored on the principles contained in the 1991 Harare Declaration.<sup>6</sup>

Today, the Commonwealth has become an ideal platform for its members to communicate, share ideas, experiences and best practices and co-ordinate activities despite differences in cultures, traditions and



**Hon. Shri Om Birla** was unanimously elected as the Speaker of the 17<sup>th</sup> Lok Sabha in the Parliament of India on 19 June 2019. He has been a Member of Parliament for Kota-Bundi parliamentary constituency since 2014. He was previously a Member of the Rajasthan Vidhan Sabha (Provincial Assembly) from 2003 to 2014. He has held positions with the youth wing of his party, Bhartiya Janta Yuva Morcha, as National Vice President, State President and District President. He completed his Master of Commerce at Maharshi Dayanand Saraswati University.



belief. It is interesting that Commonwealth countries until 2011 were held together by the sheer strength of their shared traditions and experiences, institutions and the desire for greater economic cooperation. For it was only in 2011 at the Commonwealth Heads of Government Meeting (CHOGM) in Perth, Australia that the Commonwealth Charter was proposed and was adopted on 19 December 2012.<sup>7</sup>

To our immense satisfaction, it is gradually acquiring a global character. The latest two entrants, Rwanda and Mozambique, have never been a part of the British Empire. The Commonwealth Parliamentary Association (CPA) deserves much credit for bringing together MPs of Commonwealth countries on a single platform to exchange views on a variety of contemporary issues.

There is a huge convergence of interest between the Commonwealth and the UN on issues like strengthening good governance and the rule of law, protecting and promoting democratic principles and human rights and strengthening democratic institutions. Both emphasise youth empowerment, gender equality, inclusive and sustainable economic growth for realising the 2030 Agenda for Sustainable Development. Both are committed to free trade in a transparent, inclusive, fair, and open rules based multilateral trading system. Both acknowledge the importance of disaster preparedness in reducing the impact of natural disasters.

The Commonwealth support to the UN Security Council (UNSC) Resolution 1325 of 31 October 2000 that recognised, amongst other things, women's right to participate in peace processes is too well known. Commonwealth countries understand their commitment under the Paris Agreement to mitigate the impact of global warming and climate change and are vigorously striving to limit the temperature increase to 1.5 degrees Celsius above pre-industrial levels as prescribed in the Paris Agreement.<sup>8</sup>

There is a renewed commitment in the Commonwealth to shift to clean forms of energy and partner with relevant organisations,

including the International Solar Alliance to promote sustainable economic growth.

The Commonwealth is against violent extremism in all its forms and supports the UN Secretary-General's January 2016 Plan of Action to Prevent Violent Extremism by addressing the underlying conditions that drive individuals to radicalize and join violent extremist groups.<sup>9</sup>

The Commonwealth has also endorsed the UNSC Resolution 2250 of 9 December 2015 on Youth, Peace and Security<sup>10</sup> which focuses on promoting youth participation, prevention, protection, partnership and disengagement and reintegration as five pillars for action related to young people's contribution to peace processes and conflict resolution.

India has time and again reiterated its commitment to the UN Charter and has been playing an important role in the UN system. It has also contributed to the Commonwealth with the same commitment. The Indian Parliament, on the occasion of the Fiftieth Anniversary of the United Nations, had passed a Resolution on 22 December 1994 reaffirming India's abiding commitment to the UN, and determination to build upon its achievements and utilise its potential to advance our shared aspirations of peace, security and prosperity. The Resolution also reiterated India's belief that the UN is uniquely placed to promote a more just, equitable, and prosperous and secure world order and should be strengthened to reflect the current political and economic realities.

The Indian Parliament is also a regular and active participant in the Commonwealth Parliamentary Association at the international and regional levels.

India has been at the forefront of many UN resolutions. Over seven decades, India has strongly supported the advancement of human rights at the UN. In the initial years, India forcefully raised issues like decolonization, apartheid, human rights, non-alignment, nuclear disarmament, new international economic order, North-South relations, South-South cooperation, democracy, etc. and brought in a new dimension to the working of the United Nations that was more besieged with security related matters. India was one of the prominent members of the UN who raised the plight of the colonized countries.

Ultimately in 1960, the UN General Assembly adopted a resolution on decolonization, the '*Declaration on the Granting of Independence to Colonial Countries and Peoples*'.<sup>11</sup> The Resolution declared that subjecting people to alien subjugation constitutes denial of human rights and is an impediment to attaining world peace.

India also played an important role in ending apartheid in South Africa. On 2 December 1950, the UN General Assembly declared that "*a policy of 'racial segregation' (apartheid) is necessarily based on doctrines of racial discrimination.*"<sup>12</sup>

India strongly advocated for the abolition of apartheid at the UN and at all international forums, including the Commonwealth, ultimately leading to its end and the emergence of South Africa as a democratic country. India was also able to get a resolution on the



treatment of Indians in the Union of South Africa, adopted by the UN General Assembly on 8 December 1946.<sup>13</sup>

India has been relentlessly calling for elimination of nuclear weapons. India has been actively participating in the economic, social and humanitarian activities of the United Nations.

India has participated in UN peacekeeping missions since its inception and has contributed more peacekeepers to UN missions than any other country. India has provided more than 200,000 military and police officers to UN peace keeping over the last 70 years.<sup>14</sup> It has the distinction of contributing the world's first female peacekeeping force that served towards bringing peace in Liberia in 2007.

In view of the pandemic of COVID-19 and the demand from several countries for the drug hydroxychloroquine (HCQ), India has gone out of its way to meet the global demand at short notice, on pure humanitarian grounds and as a way of showing solidarity in the hoary tradition of

वसुधैव कुटुम्बकम्

(Vasudhaiv Kutumbkam) i.e. 'the World is a Family'.

Terrorism has become an important concern for all peace-loving countries and India is campaigning for the adoption of a Comprehensive Convention on International Terrorism to combat cross-border terrorism.

India has been striving for the reform of the United Nations Security Council and the creation of a more representative and democratic body to make it more effective in dealing with peace and security related issues.

The 2007 UN Declaration celebrating 2 October, Mahatma Gandhi's birthday, as the International Day of Non-Violence is recognition of the relevance of Mahatma Gandhi's ideal of non-violence.<sup>15</sup>

The proclamation of 21 June as the International Day of Yoga by the UN General Assembly on 11 December 2014 is a recognition of yoga as a holistic approach to health and well-being of all.<sup>16</sup>

The election of India on 17 June 2020 with an overwhelming majority of 184 out of 192 votes in the United Nations General Assembly as a non-permanent member of the UN Security Council for the term 2021-2022, for the eighth time, demonstrates the

Left: India has participated in UN peacekeeping missions since its inception and is one of the largest contributors of peacekeepers.

confidence that the international community has in India's capability to strengthen the Council.

Ever since the United Nations was established in 1945, it has been engaged in addressing the multifarious and complex challenges that have emerged from time to time. As it brings together the leaders of the world on a single platform to share their thoughts, it has been able to provide resolutions based on consensus views. Though the UN remains the principal forum for multilateralism, the Commonwealth is eminently placed in addressing many complex issues through the unique style of functioning, which is again marked by consensus building, informality and goodwill. Both the UN and Commonwealth have immensely contributed to promoting world peace and development. The future of both organizations is intertwined in a myriad of ways and on their continued success, rests the future of a peaceful and sustainable world.

The following ancient Sanskrit Sloka very profoundly lays down the future roadmap of these two global entities:

स्वस्तिप्रजाभ्यः परिपालयन्तां न्यायेन मार्गेण महीं महीशाः।  
गोब्राह्मणेभ्यः शुभमस्तु नित्यं लोकाः समस्ताः सुखिनो भवन्तु॥

English Translation:

May the well-being of all people be protected

By the powerful and mighty leaders be with law and justice.

May the success be with all divinity and scholars,

May contentment prevail world over.

## References:

<sup>1</sup> <https://www.un.org/en/sections/un-charter/preamble/index.html>

<sup>2</sup> <https://thecommonwealth.org/london-declaration>

<sup>3</sup> <https://thecommonwealth.org/declaration-commonwealth-prime-ministers>

<sup>4</sup> <https://thecommonwealth.org/declaration-commonwealth-principles>

<sup>5</sup> <https://thecommonwealth.org/goa-declaration-international-security>

<sup>6</sup> <https://thecommonwealth.org/harare-declaration>

<sup>7</sup> <https://thecommonwealth.org/about-us/charter>

<sup>8</sup> <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>

<sup>9</sup> <https://www.un.org/counterterrorism/plan-of-action-to-prevent-violent-extremism>

<sup>10</sup> <https://www.un.org/press/en/2015/sc12149.doc.htm>

<sup>11</sup> UN General Assembly resolution 1514 (XV) of 14 December 1960 - <https://www.ohchr.org/EN/ProfessionalInterest/Pages/Independence.aspx>

<sup>12</sup> General Assembly Resolution 395(V), 2 December 1950 - <http://www.worldlii.org/int/other/UNGA/1950/>

<sup>13</sup> UN General Assembly, Treatment of Indians in the Union of South Africa, 8 December 1946, A/RES/44 - <https://www.refworld.org/docid/3b00f0993.html>

<sup>14</sup> <https://peacekeeping.un.org/en/india>

<sup>15</sup> <https://www.un.org/en/events/nonviolenceday/>

<sup>16</sup> <https://www.un.org/en/observances/yoga-day>

## COMMONWEALTH NEWS: TWO COMMONWEALTH COUNTRIES TO JOIN THE UN SECURITY COUNCIL FROM 2021

In June 2020, it was announced that two Commonwealth countries – India and Kenya – have been elected as non-permanent members of the UN Security Council, the United Nations organ that maintains international peace and security. UN Member States chose the countries in a series of voting in the UN General Assembly, with 192 ambassadors casting their ballots during pre-determined time slots, due to the COVID-19 pandemic.

Ahead of the election, the India External Affairs Minister, Dr Subrahmanyam Jaishankar said: *“The COVID-19 pandemic and its grave economic repercussions will test the world like never before. In this extraordinary situation, India can play a positive global role. We have always been a voice of reason and a votary of international law. We advocate dialogue, consultation and fairness in our approach to global issues. And we emphasize global development, addressing climate change and eradicating of poverty as central to planet’s future.”*<sup>1</sup>

Ambassador Raychelle Omamo, Cabinet Secretary said in a statement on behalf of the Government of Kenya: *“Kenya shall partner with members of the Security Council, as one of the three African members of the United Nations Security Council ... I reaffirm Kenya’s firm commitment to a rules-based ethos, buttressed by robust multilateralism, secured by the United Nations Charter and International Law. Kenya anticipates continued support to ensure global peace and security for sustainable development and shared prosperity.”*<sup>2</sup>

Fifteen countries sit on the UN Security Council and each member has one vote. Under the Charter of the United Nations, all Member States are obligated to comply with Council decisions. The Security Council takes the lead in determining the existence of a threat to the peace or act of aggression. It calls upon the parties to a dispute to settle it by peaceful means and recommends methods of adjustment or terms of settlement. In some cases, the Security Council



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can resort to imposing sanctions or even authorise the use of force to maintain or restore international peace and security.

The UN Security Council has five permanent members, who have the right to veto resolutions: China, France, Russia, the United Kingdom and the United States. Ten non-permanent members are elected by the General Assembly for two-year terms, with five elected each year. Joining India and Kenya at the UN Security Council in January 2021 are Ireland, Mexico and Norway. They will replace Belgium, Dominican Republic, Germany, Indonesia and South Africa. Estonia, Niger, Saint Vincent and the Grenadines, Tunisia and Vietnam will remain on the UN Security Council until the end of 2021.

### References:

<sup>1</sup> External Affairs Minister's remarks during launch of India's Priorities for its candidature for the UN Security Council 2021-22 - June 05, 2020: [https://www.mea.gov.in/Speeches-Statements.htm?dtl/32736/External\\_Affairs\\_Ministers\\_remarks\\_during\\_launch\\_of\\_Indias\\_Priorities\\_for\\_its\\_candidature\\_for\\_the\\_UN\\_Security\\_Council\\_202122](https://www.mea.gov.in/Speeches-Statements.htm?dtl/32736/External_Affairs_Ministers_remarks_during_launch_of_Indias_Priorities_for_its_candidature_for_the_UN_Security_Council_202122)

<sup>2</sup> Kenya Ministry of Foreign Affairs Press Statement on the United Nations Security Council Elections: <http://www.mfa.go.ke/wp-content/uploads/2020/06/Press-statement-on-UNSC.pdf>

## MAKING THE UN MORE EFFECTIVE: A PARLIAMENTARY PERSPECTIVE

Age is just a number; in growing older, what matters is the health one is in.

The health of the United Nations at 75 should be measured in terms of its capacity to master change and define a common agenda for the world that works for the people and that people can believe in. From this standpoint, considerable efforts are needed if the UN is to fulfil its claim to speak for ‘the peoples’ of this world through their respective governments – as suggested in the preamble of the UN Charter. This, however, does not depend so much on the excellent men and women who work for the UN under the leadership of the Secretary-General. It depends mostly on the commitment of the 193 governments that are the real political masters of the UN as well as on the national Parliaments whose job it is to oversee those governments on behalf of the people.

The UN, with its whole universe of agencies, departments, treaty bodies and programmes, stands at the center of the current multilateral system of global governance. The UN was designed as a forum where sovereign states can come together to devise solutions to global problems. While there is much that each government can do for its own citizens, action can often come to naught unless it is part of a collective, worldwide effort. This was true back in 1945, and it is even more the case today after decades of growing interdependence through commerce, finance, migration and other aspects of what is generally referred to as ‘globalization’.

But that multilateral system is in crisis for a number of reasons. The international agreements that the UN negotiates are often the result of compromises that render them ineffective from the start. Often, the agreements are not binding and lack a proper enforcement and accountability mechanism. Most recently, we have witnessed a growing tendency for member states to sign up and to pull out of global agreements with little regard for respect for international law.

At a deeper level, the problem today is that globalization, the flip side of multilateralism, has yet to deliver fully on its promise of shared prosperity and peace. As inequalities grow deeper, as new security threats emerge, and as climate change and other environmental problems get out of control, people grow disillusioned with their governments and, by extension, with multilateral organisations such as the UN. The situation is being compounded by the ongoing COVID-19 crisis.

There is no question in my mind that the world needs the UN today more than ever. We just need a way to make the UN a more effective steward of the people’s welfare so as to realize the original intent of the Charter: “to save people from the scourge of war”, “to reaffirm faith in fundamental human rights” and “to promote social progress and better standards of life in larger freedom.” For the Inter-Parliamentary Union (IPU), an organisation devoted to democracy-building, a big part of the solution must entail engaging Parliaments and Parliamentarians more closely in UN decision-making processes.

It should be clear that the IPU does not aim to have Parliaments substitute for governments in the conduct of international affairs. However, the agreements that are negotiated through the UN deliberative machinery need wider buy-in than just that of the governments of this world. They need to include the views of Parliaments as the bodies that best represent all people from all sides of the political spectrum, and that are constitutionally endowed with oversight authority to ensure that those international agreements are implemented domestically through appropriate laws and budgets.

For the last twenty years since the turn of the century and the start of a new millennium, the IPU has worked steadily to bring the people closer to the UN via their parliamentary representatives. This has required creating whole new processes and tools to enable Parliaments and their Members to participate more effectively in UN



**Martin Chungong** is the Secretary-General of the Inter-Parliamentary Union (IPU) and made double history by becoming the first-ever African and the first non-European to be elected as IPU Secretary-General in the organisation’s 130-year history. Following a 14-year career with the Cameroonian Parliament, Mr Chungong has spent more than 20 years at the IPU. As Chair of the Management Committee on Accountability of the OECD Governance Network, Mr Chungong has further contributed to establishing governance benchmarks to strengthen democracy.



processes. While this vision of ‘a *parliamentary dimension to the work of the UN*’ – as we call it – is not fully realized yet, it remains key to making the UN more open and accountable to the people.

Practically speaking, the IPU’s vision has its foundation at the national level, where Parliaments actually operate and engage with their respective governments. It is about enabling national Parliaments to provide input to their governments’ policy positions in UN forums and to oversee their governments’ response to UN agreements (i.e. treaties and conventions, resolutions and political declarations).

The sooner a Parliament is aware of a UN negotiation or reform process, the more it can engage with the government in developing a *national position* that includes the views of all the people represented by the Parliament. It is startling how, even today, so many Parliaments are unaware of what their governments are saying at the UN. To bridge this gap and enable Parliaments to exercise their oversight role more effectively, the IPU regularly invites UN ambassadors and officials to brief Parliamentarians at our biannual assemblies, organises parliamentary hearings and events at the UN to track important processes, and facilitates direct interaction

between national Parliaments and UN country offices. In addition, we have set up a Committee on UN Affairs to review UN reforms and the UN response to major issues of the day.

A special oversight mechanism that we have devised relates to the yearly reports that governments submit to the UN on three key issues: human rights (through the Universal Periodic Review of the Human Rights Council), gender equality (through national reports submitted to the Committee on the Elimination of Discrimination against Women), and the Sustainable Development Goals (through Voluntary National Reviews of the UN High-level Political Forum on Sustainable Development). In each of these cases, we alert the Parliaments of the states submitting reports to the UN to the process ahead so they can provide input before the reports are finalised.

Evidently, facilitating more Parliament-to-government interaction on UN affairs only works to the extent that Parliaments themselves are representative of the people at large and are duly capacitated to perform their oversight function. This is why, at the same time as we work to bring Parliaments to the UN, we also work to strengthen Parliaments at home. To that effect, the IPU works either alone or in partnership with others for gender equality in Parliament (women



occupy only 25% of all parliamentary seats globally) and for fairer representation of youth and other under-represented groups. Through dialogue and peer pressure, we promote democratic practices such as being more open to civil society input and respecting the rights of Members of the opposition.

On the implementation side of the equation, i.e. making UN agreements actionable within countries, the IPU is also very active, with a panoply of awareness-raising events and publications to help Parliamentarians figure out the legislation they need to enact. Many of our workshops and publications are prepared in cooperation with UN agencies and programmes. The most consequential and comprehensive agenda of our time, the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals, basically informs our entire programme of work.

While facilitating closer interaction between Parliaments and their governments at home, the IPU also advocates directly for Parliaments at the UN. As an Observer at the General Assembly, the IPU can participate in most meetings to convey the main ideas and recommendations stemming from IPU debates. However, Observer Status does not confer the right to participate in negotiations, so the IPU must rely on information-sharing and persuasion, including through informal contacts with ambassadors, as a way of putting our points across.

As we enter a new critical phase in the life of the UN, and in the face of existential threats of which COVID-19 is just the latest instalment, we need to take a hard look at the extent to which member states have come to recognise and institutionalise the role of Parliaments in multilateralism. In all honesty, this remains a challenge. During the negotiation of the UN75 Summit declaration, the IPU and many of its Member Parliaments advocated loudly for language in the section on

UN reforms that would recognise the need to engage more closely with Parliaments as a way of strengthening multilateralism through the UN. Clearly, there is a need to rethink the antiquated vision of international relations and global governance that sees governments, represented by their executives, as exclusively in charge.

The main concession to us in the declaration comes under the rubric of 'partnership' where *Parliamentarians* – as opposed to the institution of Parliament – were added to a long list of actors, such as civil society, the private sector and academia, that can help carry forward UN objectives. While this addition is welcome, it does not quite capture the parliamentary perspective that the IPU has advocated over the years. Partnership with Parliaments at the UN is a concept that has mainly been applied to the implementation of UN agreements, where Parliaments are indeed critical, but where their intervention is only as good and effective as the agreements themselves. When it comes to making room for Parliaments in the actual decision-making processes of the UN, partnership cannot go very deep in the absence of real institutional reforms.

This said, there is no question that in just twenty years Parliaments and Parliamentarians have gained greater visibility at the UN. I am convinced that, with a little more perseverance and commitment on the political front, and more resources to sustain needed reforms, we can go deeper and revamp our multilateral system. Multilateralism is damaged but far from dead.

On this landmark anniversary, I wish the UN good health for many more years to come.



Above (from left to right): IPU Secretary General, Mr Martin Chungong; Mr Fabrizio Hochschild, Special Advisor to the UN Secretary General on the Preparations for the Commemoration of the 75<sup>th</sup> Anniversary of the United Nations; and IPU President, Gabriela Cuevas Barron.

## ANNUAL PARLIAMENTARY HEARING HELD AT THE UNITED NATIONS HEADQUARTERS

The Inter-Parliamentary Union (IPU) held its Annual Parliamentary Hearing at the United Nations Headquarters on 17 and 18 February 2020. The UN General Assembly granted the IPU permanent observer status in 2002.

The IPU Annual Parliamentary Hearing at the UN was held on the theme of *'Education as a key to peace and sustainable development: Toward the implementation of SDG 4'* with the keynote address given by Mr Abdoulaye Mar Dieye, Assistant Secretary-General, Special Advisor to the United Nations Development Programme Administrator on *'The SDGs is the only way forward'*.

The opening session heard from Mr Tijjani Muhammad-Bande, President of the 74<sup>th</sup> session of the UN General Assembly, Ms Gabriela Cuevas Barron, President of the Inter-Parliamentary Union and Ms Maria Luiza Ribeiro Viotti, Chief de Cabinet, Office of the UN Secretary General.



Image credit: © Joel S Photo/IPU

The IPU convenes MPs from around the world for the 2020 annual parliamentary hearing at the United Nations in New York.

## COMMONWEALTH SPEAKERS ATTEND THE FIFTH WORLD SPEAKERS' CONFERENCE TO FOCUS ON MULTILATERALISM IN THE LIGHT OF COVID-19

**5<sup>th</sup> World Conference of Speakers of Parliament**  
Parliaments for peace, people and planet #5WCSP

19-20 August

Commonwealth Speakers of Parliament from across the world have attended the first part of the Fifth World Conference of Speakers of Parliament which took place virtually on 19 and 20 August 2020, organised by the IPU in partnership with the Parliament of Austria and the United Nations. Over 100 Speakers of Parliaments and Legislatures as well as the Secretary-General of the Commonwealth Parliamentary Association, Mr Stephen Twigg joined other Parliamentarians, experts and United Nations representatives to mobilize the international parliamentary community to take action on the

health, climate and economic crises facing the people and planet.

Originally planned to take place in Vienna, Austria, under the overall theme of Parliamentary leadership for more effective multilateralism that delivers peace and sustainable development for the people and planet, the physical conference had been postponed to 2021 due to the COVID-19 pandemic. This year, instead, the Speakers met virtually to discuss parliamentary responses to the pandemic as well as themes including global governance, sustainable economies and the climate emergency.

*"We currently face some of the greatest challenges ever witnessed by humanity. As Parliamentarians, we have a responsibility to make this planet a better place for the people that we represent, particularly for women and youth,"* said Ms Gabriela Cuevas, IPU President. *"We are the ones who can stop climate change; we can build more inclusive and green economies; we can be fierce advocates for gender equality; and we can ensure that we take the steps needed to overcome COVID-19 decisively, while upholding democratic values and human rights. In the face of these challenges, we must also defend multilateralism and translate international commitments into national and local realities."*

The virtual conference also included a special online event on countering terrorism and violent extremism on the eve of International Day of Remembrance and Tribute to the Victims of Terrorism on 20 August. The virtual 13<sup>th</sup> Global Summit of Women Speakers of Parliament also immediately preceded the Speakers Conference (see page 260). The World Conference of Speakers of Parliament takes place every five years. The first World Conference of Speakers of Parliament took place in August 2000 at the United Nations Headquarters in New York, just a few days before the Millennium Summit of Heads of State and Government.

## 'THE FUTURE WE WANT, THE UN WE NEED: REAFFIRMING OUR COLLECTIVE COMMITMENT TO MULTILATERALISM'

2020 was to be a pivotal year for multilateralism.

This year marks the 25<sup>th</sup> anniversary of the Beijing Declaration and Platform for Action, and the 20th anniversary of the groundbreaking UN Security Council Resolution 1325 on Women, Peace and Security. As such, it was to be a year of great mobilization for the rights, voice and leadership of women and girls.

2020 was also supposed to serve as an opportunity for the world to recommit to the Paris Agreement's 2-degree limit on global temperature increase, through new and more ambitious Nationally Determined Contributions (NDCs).

The Human Rights Treaty Body Review was foreseen as a chance to re-evaluate the system that monitors countries' compliance with international human rights obligations. Similarly, the review of the UN's Peacebuilding Architecture promised an informed assessment of how well the international community - through the UN - is prepared to sustain international peace.

Finally, as the commencement of the decade of action on the Sustainable Development Goals (SDGs), 2020 was to be a year of recommitment to the 2030 Agenda for Sustainable Development, with its aim to eliminate global poverty and inequality while respecting the planet's natural limits.

As we approach the final quarter of 2020, however, the overwhelming focus of Member States has, understandably, been their response to COVID-19. Yet it is timely to recall that the pandemic represents not merely a health crisis.

COVID-19 has exposed deeply-entrenched inequalities the world over, placing disproportionate costs on the already vulnerable, including the poor, those in the informal sector, migrant laborers, daily-wage workers, persons with disabilities, and refugees. Women and girls, and members of racial, ethnic and sexual minorities, have been exposed to new and multiple forms of discrimination and

violence. A record number of children and young people have been forced out of school, up to 100 million people are being pushed into extreme poverty in 2020 alone, and some 265 million more people now face food insecurity. In every continent, authoritarian tendencies have re-asserted themselves. And all the while, natural disasters and extreme weather events have continued unabated.

The virus moreover struck the planet at a time when close to 50% of people across the globe had already indicated a lack of trust in their governments. In many countries, the governance response to COVID-19 has been uneven. It has exacerbated this disconnect, especially when characterised by outright official denial; reprehensible leadership; poorly-executed lockdowns, prematurely lifted and then re-imposed; and failures to coordinate in the delivery of health messages and services. In such cases, the result has been a failure to either contain the virus or preserve people's economic security. A feature of these poor responses has frequently been a weak, inadequately-capacitated, or marginalised Legislature that has been unable to translate popular will into action by governments. In some cases, Parliaments have even been shuttered indefinitely, and elections postponed.

There are, however, examples of good governance responses, in countries where to date the pandemic response, and its economic and social consequences, have been well-managed. These have tended to involve effective service delivery, transparency and good communication on the part of governments, combined with high levels of trust and social cohesion on the part of populations.

In many of these cases, Parliaments and Parliamentarians have played a significant leadership role.

First, they have maintained effective oversight of the immediate pandemic response, ensuring that it is evidence-based; fit-for-purpose; and appropriately-targeted. Where emergency powers



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**Agata Walczak** is a Parliamentary Project Manager at the United Nations Development Programme (UNDP).



immediate challenge presented by COVID-19 has been met.

At their best, these dialogues have sought to ensure that policy choices are not limited by corporate interests; reflect the need for greater resilience, inclusion, and sustainability; and are underpinned by the urgent need to recommit to action over the coming decade, to achieve the vision of the 2030 Declaration as set out in the SDGs. Some have looked to learn and maintain traction on the new sustainable sectors and practices which have emerged or caught on during the crisis – such as telecommuting, locally-sourced production and consumption or ‘doughnut’ economics.

They have also involved parliamentary diplomacy as part of efforts to ensure a shared approach to solutions, including the availability of development finance on just terms, and the need for an equitable approach to the distribution of personal protective equipment – and vaccines when they become available.

These initiatives - to improve the quality of response and recovery; and to empower an inclusive vision

have been taken or invoked, they have ensured that these are exercised proportionately, in a time-limited fashion, and with respect for underlying human rights frameworks.

Secondly, they have ensured that an adequate, effectively-distributed, and properly-controlled short-to-medium term recovery budget and plan are in place. Given the very significant expenditures usually involved, effective oversight of new borrowing commitments has been required, as have the creation or strengthening of probity safeguards over public appointment and financing processes.

Finally, and perhaps most significantly, Parliaments and Parliamentarians have been able to insist on a meaningful dialogue - between the people they represent and the governments they oversee - on a vision for how to ‘*build back better*’, or in other parlance, ‘*build forward better*’ on a long-term basis after the

for building back better, have cut across the traditional legislative, oversight and representational mandates. They have frequently required Parliaments and Parliamentarians to find innovative ways of working and interacting. Systematising civic engagement, interfacing more effectively with local government, and ensuring that the voices of those most at risk of being left behind are heard - have been common elements, in many cases facilitated through the deployment of new technologies. Initially taken up as emergency procedural responses, they are being adopted as regular ongoing features of the ways in which Parliaments work, with the potential to enhance engagement and help restore faith in representative governance.

Just as the governance response to COVID-19 at Member State level has varied, so has the multilateral one.

There are some notable success stories. From the outset of the crisis UNDP, through its 80 country-level parliamentary support programmes, has supported Parliaments to share knowledge, innovate, and enhance voice and accountability. As around half of these programmes are in Commonwealth nations, the Commonwealth Parliamentary Association has been our key partner in support of development and good governance.

As part of wider multilateral efforts, UNDP has supported countries in the development of more than 80 socio-economic assessments and response plans. We are raising global attention and debate on the need for unprecedented development measures for these unprecedented times. This includes advocacy for the immediate introduction of a Temporary Basic Income for the world's poorest people, that could slow the current surge in COVID-19 cases by enabling nearly three billion people to stay home, and stay safe. And we are mobilising new sources of development finance. The UNDP Rapid Response Financing Facility is making some \$100m of flexible financing available through UNDP Country Offices, building on \$30m in redeployed funds since March and more than \$390m in reprogrammed, new, and additional funding.

Still more widely, the multilateral system has been striving to rise to the challenge. The recent adoption by the UN Security Council of resolution 2532 demanding "*a general and immediate cessation of hostilities in all situations*" is a case in point. So is the ongoing mobilisation by the World Food Programme of US\$ 4.9bn to provide life-saving services targeting the world's most vulnerable populations from starvation. The adoption by the UN General Assembly of resolution 74/274 on international cooperation to ensure global access to medicines, vaccines and medical equipment to face COVID-19 is also important, as is the collaborative effort of several UN agencies to support countries to stop the surge in violence against women and girls.

Of course, there have also been failures, both in respect of pandemic response, and more generally. The multilateral system as we know it hasn't succeeded in generating effort at the speed and scale that a sustainable future requires. Deepening inequalities, the global migration crisis, the perpetuation of economic models that do not correspond to the workings of today's data economy, remain significant unmet challenges. We have seen a loss of support for multilateral action in important areas of activity from key powers; growing competition for resources; and a retreat to unilateralism, nationalism and protectionism. All these remain significant threats to both the immediate challenge presented by COVID-19 and by the wider and unprecedented challenges that the planet faces.

To raise to this challenge, it is without a doubt vital to address how the multilateral system can function more effectively, both in form and in substance. At UNDP, we recognise that the crises of today require a different kind of development: one that makes the most of the knowledge, ingenuity and innovation of those we serve, work and partner with; and which facilitates learning on how to do things better. To remain fit for purpose, the UN system, with UNDP being no exception, will have to continue transforming the way it works. But addressing the weak points of the multilateral system will also require a reflection and a decisive commitment on the part of Member States.

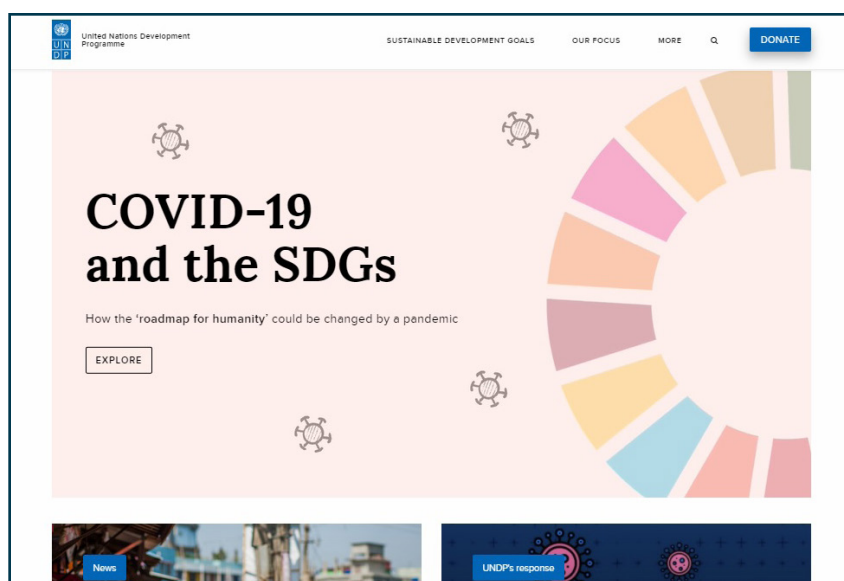
2020 may have failed - thanks to circumstance - to fulfil its original promise to serve as a year for the re-invigoration of multilateralism. But it has also served to remind us that there is simply no alternative to the need for such a re-invigoration.

Ultimately, the pandemic cannot be defeated, except through collective action. Nor can the unprecedented reversal in human development and security that it has unleashed.

Ongoing collaborations between agencies such as UNDP and the CPA - multilateral entities created in order to support sustainable human development and good governance - are vital to maintaining and enhancing such action. So are the efforts of Parliaments and Parliamentarians to reinvigorate partnerships for voice, accountability, inclusion, and resilience.

The crisis of 2020 reminds us that the UN we need is crucial to the future we want. It demands that we recommit to gender equality and human rights; to peace; to climate justice; and to achieving the SDGs by 2030. And it demonstrates the catastrophic consequences of failing to do so.

Visit [www.undp.org](http://www.undp.org) for more information.



## REFLECTIONS ON THE UN AT 75 AND THE WORK OF THE UN ASSOCIATIONS

A UK Parliamentarian reflects on the United Nations at 75 and looks at the institution from the perspective of an academic, Parliamentarian and Chair of a UN Association.

I am privileged to be able to view the 75<sup>th</sup> anniversary of the founding of the United Nations with the perspective of three different professional hats.

As an academic who has taught politics at Oxford University since 1995, I have always thought of the UN as a little miracle of the post-WW2 world. The daily price it pays of compromise and impasse, diplomatic roadblocks and states wilfully ignoring its rules, is more than repaid by the quiet transformations of our world that the UN is helping to bring about. Because every day the UN is responsible for feeding, clothing and vaccinating those most in need, keeping the peace and keeping refugees alive, trying to stop states failing and helping new states survive and thrive. When disaster strikes the UN is first in and last out. The truth is that if it didn't exist, it could never be created now. And for all its limitations, our world is so much better for the vision and battles that built it 75 years ago.

My second hat is that of Chair of the UK's United Nations Association (UNA-UK). The UNA network across the world was formed to serve as a bridge between the public and the United Nations. The early Associations captured the spirit of post-war enthusiasm and were also engaged in reconstruction work. A second wave of UNAs formed in the wake of decolonisation and new nation-building, from the late 1950s to the fall of the Berlin Wall in 1989.

There are now just over 100 UNAs, including an active European network. Their core mission is to provide information to the public about what the UN does – through work with schools and universities, to public information and outreach, campaigns,

and briefings for Parliamentarians and decision-makers. Some, like UNAs in China and Norway, are closely associated with their governments and receive most of their funding from foreign or development ministries. Some, like UNA-UK and UNA-USA, have a full-time paid staff and draw their funding instead from foundations, members and public donors.

They also differ greatly in their approach. UNA-UK combines information and education with advocacy and campaigning. We focus not only on the UN, but on the UK's relationship with it, by hosting public events, conducting research, producing various publications and working in partnership with a range of individuals and organisations. There are many UNAs that focus mainly on education and youth work, including Model UNs. While others such as Ghana's and Pakistan's UNAs run practical projects – working with refugees, young people, promoting tree-planting and drug awareness, for example.

UNA-UK shares its birth year with the United Nations, and like the UN, it is a second take. The Association's roots lie in the League of Nations Union (LNU), formed in 1918 to promote international justice and collective security through the establishment of the League of Nations. It became the largest and most influential peace organisation in the UK, with nearly half a million members, playing an important role in British politics with the involvement of prominent Liberal and Conservative politicians. The LNU felt that Britain's growing isolationism had to be countered by a massive demonstration of support for a UK foreign policy in which the League played a central role.

The collapse of the League demanded a new approach after World War Two. On 7 June 1945, three weeks before the United Nations Charter was opened for signature, UNA-UK held its first meeting. On 10 October, a fortnight before the UN Charter entered into force, the Association was inaugurated in a packed Royal Albert



**Lord Stewart Wood of Anfield** is a Labour peer, an academic at Oxford University and the Chair of the United Nations Association (UK). In the UK House of Lords, he serves on the European Union Select Committee and the International Relations Committee. From 2001-2007, he was a member of the Chancellor of the Exchequer's Council of Economic Advisers, focusing on EU affairs, and from 2007-10 he served as senior Special Adviser to the UK Prime Minister on foreign policy. Between 2010 and 2015, he was a member of the Shadow Cabinet. In his academic work, he has written extensively on European politics, in particular the politics of economic and welfare policy.

Hall in London. The then UK Prime Minister, Clement Attlee, Anthony Eden, MP and Megan Lloyd-George, MP addressed the crowd.

The Association absorbed much of the LNU's work, resources and staff. In the late 1940s, it focused on enshrining the values of the UN Charter in the hearts and minds of Britons and on calling for strong UK support for its work – including a generous approach to resettling refugees.

UNA-UK's work has, like that of the UN's, shifted focus across the decades in response to the global challenges faced in the post-war world. In the 1950s, we started collections to support the UN's work, effectively doubling the UK's contribution to UNICEF in 1953. Volunteers were sent to rebuild houses in Austria and Germany. A decade later, the volunteer programme had grown, with 30 overseas camps and an official placement scheme. By this time, disarmament and human rights had become major concerns for the Association, as well as early concerns about global environmental issues.

In the 1970s, UNA-UK campaigned tirelessly for overseas development aid. Our call for the UK to meet the 0.7% target was only met in 2013. We also organised a series of events ahead of the first UN World Conference on Women. The 1980s saw UNA-UK lead the '*Let's Freeze this Winter*' campaign, which lobbied hard against increased deployment of missiles by NATO and the USSR. After the UK withdrew from the UN Educational, Scientific and Cultural Organization (UNESCO), the Association set up an informal all-party group of MPs to work for its re-entry, eventually achieved in 1997. The national commission for UNESCO was also housed within UNA-UK.

In the past 30 years, UNA-UK has moved into education work, with model UN events and teaching resources originally linked to the UN's 50<sup>th</sup> anniversary a quarter of a century ago. But we have also been prominent in campaigns for peace and security. We campaigned against the Iraq war and for greater arms control, and I am proud that UNA-UK played a pivotal role in reversing the UK's position on cluster munitions, paving the way for a global treaty.

More recently, we have turned our campaigning zeal on the UN itself. In the 2010s, we prioritised work to make the UN more effective. Three campaigns exemplify this approach: first, our successful push to keep teaching about the United Nations and global citizenship in the national curriculum for England; second, our UK general election campaign, which called for serious discussion of Britain's role and set out a foreign policy manifesto, outlining 10 ways in which the UK could act as a force for good, such as greater engagement with UN peacekeeping and a strong commitment to human rights; and third, the '*1 for 7 Billion Campaign*', a global initiative spearheaded by UNA-UK, calling for a fair, open and inclusive process to select the UN Secretary-General.

But UNA-UK has increasingly focused attention on the relationship between the UK and the UN. As a key founding member, and member of the UN Security Council, the UK has traditionally had a strong skill

set and broad involvement across UN portfolios. This has changed in recent years: in part due to shifting global distributions of power, and in part due to a deprioritisation of UN engagement at the highest political levels. There is no doubt that the last decade has seen UK foreign policy become more transactional and limited in ambition. Brexit has also already affected UK engagement internationally, specifically inside the UN where the EU often acts through collective positions. Meanwhile, as the relationship between the US and the UN has become more challenging, so has that of the US and UK, and in turn the UK and the UN.

In some ways the UK has adapted to the latest era of multilateral engagement in positive ways. Its global leadership in aid, under both Conservative and Labour governments, represents an impressive adjustment from the age of 'military muscle' to 'aid muscle' in supporting a stable international order, and very much in tune with the modern role of the United Nations across the world. Within the UN Security Council, the effectiveness of the UK is linked to the US, but also to its partnership with France. Our drafting ability is still prized, and our penholder status gives us leverage.

Yet we must acknowledge that there is a widespread perception that the UK is in retreat from various international fora, including the United Nations. Allies and non-allies alike are asking a number of questions about the UK's multilateral commitment in the wake of 'Brexit': how actively is the UK now engaged across the spectrum of UN activity? How much support is there from London for UN reform? Where is the energy, creativity and leadership from the UK in using collective action through the UN to tackle new challenges – from climate change to migration, from meeting the challenge of new pandemics to cyber-terrorism? The jury is still out on how the UK will respond. UNA-UK will continue to work for more engagement rather than more retreat.

My third hat is that of a Parliamentarian since 2011, when I was made a Labour peer and Member of the UK House of Lords. The relationship between the UN and national Parliaments is a chequered and indirect one. As a coalition of member states, the UN does suffer from a large degree of government-centricity. Opportunities for engagement – be it from Parliamentarians, civil society organisations or individual citizens – has always been limited. As Sir Brian Urquhart and Erskine Childers commented in their seminal 1994 study *Renewing the UN system*: "*The peoples of the United Nations introduce the Charter and then completely disappear from that document.*"

Urquhart and Childers recommended the establishment of a UN Parliamentary Assembly, a parallel body of global Parliamentarians, to engage with the UN system. A campaign developed around this issue, and nearly 30 years later it is still a vibrant one (you can find it here: <https://en.unpacampaign.org/>). In the meantime, engagement from Parliamentarians within the UN system remains



ad hoc. Parliamentarians are not one of the nine 'major groups' of stakeholders that the UN primarily engages with (interestingly local authorities are however) and so instead the Inter-Parliamentary Union has set up its own mechanisms, notably by working with the President of the General Assembly and relevant UN departments to organise an annual parliamentary hearing.

Here in the UK, the UK Parliament has done a number of things to engage with the UN - particularly in the House of Lords. UNA-UK convenes the UN All Party Parliamentary Group, which organises briefings and events connecting UN officials with UK Parliamentarians. We recently held events with the UN's Office of Coordination of Humanitarian Affairs (OCHA) head, Mark Lowcock, and with the UN75 Office. The Lords International Relations Committee held an inquiry in 2016 on priorities for the incoming Secretary-General of the United Nations. While the UK House of Commons Foreign Affairs Committee has interviewed a number of current and former UN officials as part of recent inquiries, including David Beasley of the World Food Programme, and former High Commissioner for Human Rights, Zeid Al Hussein. The same Committee is currently undertaking an inquiry regarding the UK's involvement with multilateral organisations.

The quest to connect national Parliaments more systematically to UN activities continues. But the truth is there is little enthusiasm or support for that agenda among member states' governments. Instead, UNA-UK decided to use the UN's upcoming 75<sup>th</sup> anniversary to prioritise the promotion of civil society engagement with the UN, through developing a dedicated focal point for civil society at the UN in New York. The result is the *Together First* initiative, which UNA-UK is leading, in the hope of building a deeper relationship between the UN and active campaigners outside of national foreign ministries. The hope is that this focal point may in the future offer opportunities for better and broader engagement with non-state actors, including Parliamentarians. In an era of populism and scepticism inside governments about the effectiveness of multilateral cooperation, the strength of relationships between the UN and non-state actors will be crucial to determining whether the UN can rise to the challenges it will face in the coming decades.

For more information about the work of the UN Association UK (UNA-UK) please visit [www.una.org.uk](http://www.una.org.uk)

## THE IMPORTANCE OF YOUTH ENGAGEMENT WITH PARLIAMENTS: VIEW FROM THE UN SECRETARY-GENERAL'S ENVOY ON YOUTH

The international community's approach to youth engagement today is paving the way for sustainable development, peace, the Agenda 2030 and for leaving no one behind. Young people, as the dominant majority population in most developing countries today, are pioneers in political action, innovation, entrepreneurship and peacebuilding. Yet, young people face a plethora of social, economic and political barriers that undermine their ability as changemakers.

To utilize young people's change-making capacity to the fullest, their participation needs to be facilitated at all levels including in civic and political life. This is not just key to the realisation of the Agenda 2030 but also one of its core requirements.<sup>2</sup>

Today, young people under 30 make up more than half of the global population - the largest generation of youth the world has ever known. In the Commonwealth, 60% of its 2.4 billion population are aged under 30.

However, only around 2% of elected legislators worldwide are under the age of 30 and 65% of the chambers of Parliament continue to impose a 'waiting time' between the age to vote and the age of eligibility to run for political office imposing age restrictions on entering democratic institutions.<sup>3</sup>

Despite the many barriers that exclude young people from accessing and meaningfully participating in formal political spaces, young people around the world are not waiting to be heard, but insist on claiming their space, pushing for change and serving their communities. The recent outbreak of the COVID-19 pandemic has underscored the exemplary resilience, courage and ingenuity that young people have demonstrated in the face of adversity and uncertainty that affect their futures more than anything.

Further, not only have they risen to the occasion to take on the 'new normal' post-COVID-19, but they have actively taken a leadership role in pioneering their communities out of the crisis by

working at the frontlines as healthcare workers, innovating creative solutions, combating misinformation online, distributing rations, volunteering to support elders and raising awareness online, and mobilising their peers.

Young people play an indispensable role in reimagining their communities and are constantly leading action for a better and more sustainable world. And I strongly believe, that when someone is old enough to vote, they should be old enough to run for office. This is why my Office, together with partners such as the Youth Initiative for Advocacy Growth & Advancement of Nigeria (YIAGA) founded the 'Not too Young to Run' Campaign in Nigeria to elevate the promotion of young people's right to run for public office and address the widespread issue of age discrimination.

This is also the fourth priority area of the UN Youth Strategy, **Youth2030**, launched by the UN Secretary-General in 2018, focusing on young people's human rights and their civic and political engagement through the promotion of young people's right to participate in public affairs, including in political and civic processes, platforms and institutions at all levels, such as elections, constitution-making processes, political parties and Parliaments.<sup>4</sup>

Young people's ability to run for public office is a right, but age discrimination laws often prevent them from doing so. Removing legal barriers to running for public office is the right thing to do and gives everyone an equal chance. The active participation of young people in electoral politics is essential to thriving and representative democracies worldwide. Young people must have every right to engage fully in the democratic process, and that includes the right for young people to run for office themselves.<sup>5</sup>

I believe that young people today have the energy, and the right to run for public office and that any efforts to prevent them from doing so serve to limit citizen participation. Research supports this



**Ms Jayathma Wickramanayake** is the United Nations Secretary-General's Envoy on Youth. Having represented and motivated global youth development on an international level since the age of 21, she has played a key role in transforming the youth development sector at the national level, notably through the creation of a large movement for civic and political engagement of young people named 'Hashtag Generation'. She worked previously as Secretary to the Secretary General of the Parliament of Sri Lanka (2016-2017) and was a Senator in the Sri Lankan Youth Parliament (2013-2015). She has also worked on the World Conference on Youth (2013-2014) and was the Sri Lankan Youth Delegate to the United Nations (2012-2013).<sup>1</sup>



by demonstrating that there is a correlation between lower eligibility ages and higher levels of youth representation, with lower legal thresholds fostering a climate in which young people are more likely to come forward and be elected to Parliament at an earlier age.<sup>6</sup>

The 'Not Too Young To Run' campaign brought to global scale a movement which started in Nigeria and seeks to elevate the promotion of young people's right to run for public office and inspire young people everywhere to actively engage in formal politics.<sup>7</sup>

Parliamentarians should diligently call for the alignment of the voting age and the age of eligibility to run for office in any given election and advocate for youth rights to run for office, and showcase young leaders in elected positions.<sup>8</sup> This, in turn, will surely inspire young people to run for office themselves along with legislation moving the participation age in the favour of young people. Currently, youth compete in a very unequal state in election processes, because they don't have public acknowledgement and the experience of a political career, or are crushed by the absence of internal democracy in parties. They lack access to financing sources and a political party structure.<sup>9</sup> Continued training on political skills,

financing election campaigns, including young people on the board of political parties and guaranteeing a minimal space for participation of youth in electoral lists are some measures that can be taken to enhance political participation of young people.<sup>10</sup>

Furthermore, Parliamentarians can proactively move towards legislation that promotes youth engagement such as in Peru where 10% of the municipal government must be comprised of youth representatives; in Morocco, the electoral law includes 30 seats reserved for candidates who are less than 40 years old; in Uganda, they reserve 5 seats in the Parliament to youth representatives; in the last elections in Tunisia, each electoral list had to include a young candidate who was less than 30 years old; in Kenya, they reserved 12 seats to represent special interests, youth included, people with disabilities and workers; in Rwanda, the National Council of Youth elects two members to the Chamber of Deputies; in the Philippines, there exists a stipulation to include youth in parties' lists systems.<sup>11</sup>

As we celebrate the 75<sup>th</sup> anniversary of the United Nations in 2020, we must openly recognise that the active participation of young people in electoral politics worldwide is essential to ensure

thriving and representative democratic institutions. The 'Not Too Young To Run' campaign provides precisely such a platform for pushing needed structural change and promoting positive narratives of young people's contributions to politics, intending to break harmful trust deficits and highlights intergenerational partnerships as the recipe for prosperous, equal and sustainable societies of the future.

The year 2020 is also the 10<sup>th</sup> Anniversary of the adoption of the IPU's Resolution on 'Youth participation in the democratic process', which called on Parliaments to *"align the minimum voting age with the minimum age of eligibility to run for office to ensure greater participation by youth in Parliaments."*<sup>12</sup>

In this momentous year, I call on the international community including all Parliamentarians to incline political will and channel support, to mainstream and take specific actions to champion youth participation in the democratic process.

For more information about the initiatives of the United Nations Secretary-General's Envoy on Youth please visit [www.un.org/youthenvoy](https://www.un.org/youthenvoy).

## References:

- <sup>1</sup> <https://www.un.org/sg/en/content/sg/personnel-appointments/2017-06-20/ms-jayathma-wickramanayake-sri-lanka-envoy-youth>
- <sup>2</sup> <https://www.undp.org/content/undp/en/home/2030-agenda-for-sustainable-development/peace/governance/empowering-youth.html>
- <sup>3</sup> <https://www.ipu.org/resources/publications/infographics/2019-08/youth-in-parliament-in-2018>

<sup>4</sup> Youth 2030: The UN Youth Strategy <https://www.un.org/youthenvoy/youth-un/>

<sup>5</sup> Swedish International Development Cooperation Agency (Sida), Young People's Political Participation Conducting a Dialogue (part 2) <https://www.sida.se/contentassets/a06826186ce9459d9cd91538e0c18e6b/15043.pdf>

<sup>6</sup> Consortium for Elections and Political Process Strengthening (CEPPS), 2019. Raising Their Voices: How effective are pro-youth laws and policies? [https://www.ifes.org/sites/default/files/ifes\\_2019\\_pro-youth\\_report\\_english.pdf](https://www.ifes.org/sites/default/files/ifes_2019_pro-youth_report_english.pdf)

<sup>7</sup> New Faces of Youth in Nigerian Parliament, The Convergence Magazine (Volume 2), July 2019. [https://www.yiaga.org/portfolio\\_post/the-convergence-magazine-volume-2/](https://www.yiaga.org/portfolio_post/the-convergence-magazine-volume-2/)

<sup>8</sup> Editors, Jan Eichhorn and Johannes Bergh, 2020. Lowering the Voting Age to 16, Learning from Real Experiences Worldwide <https://link.springer.com/book/10.1007%2F978-3-030-32541-1>

<sup>9</sup> Matt Henn et al. Journal of Youth Studies Volume 17, 2014 - Issue 3 Published online: 31 Jan 2014 <https://www.tandfonline.com/doi/full/10.1080/013676261.2013.830704?src=recsys>

<sup>10</sup> UNDP, Enhancing Youth Political Participation throughout the Electoral Cycle, A Good Practice Guide. file:///Users/kadambarimainkar/Downloads/ENG\_UN-Youth\_Guide-LR.pdf

<sup>11</sup> Youth Participation in National Parliaments, IPU, 2018.

<sup>12</sup> Youth Participation in the Democratic Process Resolution adopted by consensus\* by the 122nd IPU Assembly, Bangkok, Thailand, 1 April 2010 - <http://archive.ipu.org/conf-e/122/res-3.htm>



## THE POWER OF WOMEN'S LEADERSHIP FOR A MORE INCLUSIVE, COLLABORATIVE FUTURE

Over the past several months, the COVID-19 pandemic has brought on devastating health and economic shocks, exposing vulnerabilities in social, political and economic systems around the world and amplifying existing inequalities, especially for the most marginalized. These challenges have given new dimensions to UN Women's work on gender equality and women's empowerment and reaffirmed the urgent need to 'build back better' through a strong, multilateral response.

In this 75<sup>th</sup> year of the United Nations, our commitment to multilateralism and collaboration has never been more critical. The pandemic has brought to light the multiple and intersecting inequalities that define our world, with women and girls often the hardest hit across every sphere; from health to the economy, security to social protection. Women are the majority of workers in healthcare, and in sectors that leave them vulnerable to the impacts of the economic downturn. Millions of girls are out of school, putting them at greater risk of child marriage, female genital mutilation, unintended pregnancies, and HIV infection. A 'shadow pandemic' of gender-based violence has arisen in situations of lockdown, while women's access to justice and to sexual and reproductive health services has been compromised, and their unpaid care work is increasing. This situation is further compounded by the double discrimination many women and girls face due to their race, ethnicity, sexual orientation, gender identity, disability, age, migration status and many other factors. If we do not take concerted action, we risk reversing the limited gains made on women's rights and empowerment in the past decades.

UN Secretary-General Antonio Guterres recently warned of the "corrosive effects of today's levels of inequality" and called for people from all sectors to come together around a New Social Contract and New Global Deal based on unity, peace, justice, the planet and human rights. The achievement of gender equality and women's empowerment is inextricably connected to this vision. It is an essential element for achieving the ideas set out in the UN Charter

in 1945, and it underlies the ambitious 2030 Agenda for Sustainable Development, including through a standalone goal (SDG5).

The year 2020 marks the 25<sup>th</sup> anniversary of the Fourth World Conference on Women, when 189 countries came together to unanimously adopt the Beijing Declaration and Platform for Action, a groundbreaking blueprint for women's rights. The extraordinary circumstances of the current moment demand that we unite in that same spirit of global solidarity, and bring to the fore the importance of multilateralism in the promotion of gender equality and the human rights of all women and girls.

### Women and leadership in the era of COVID-19

One key indication of societies out of balance is the lack of women in leadership and decision-making roles at every level of society, and in national, regional and local level deliberative bodies. To build back better and achieve gender equality, women must be able to lead and participate fully in decision-making, both on the COVID-19 response and recovery and across all areas of public life.

In several countries, including in the Commonwealth, we are seeing powerful examples of how women's leadership and participation can provide a more effective, inclusive and fair response to the pandemic. Yet, while women's political participation has increased over the last few decades, it is still far from equal. The latest data from UN Women and the Inter-Parliamentary Union<sup>1</sup> shows that women comprise just 24.9% of Members of Parliament and 20.5% of Speakers of Parliament. They are Heads of State and Government in only 22 countries.

Globally, although women make up 70% of healthcare workers, they are just 24.7% of the world's Health Ministers. These figures show us that we have created a world where women are squeezed into just one quarter of the space in the rooms where critical decisions are made.



**Phumzile Mlambo-Ngcuka** is United Nations Under-Secretary-General and Executive Director of UN Women since August 2013. She served as Deputy President of South Africa from 2005-2008, before which she held Ministerial positions and was a Member of Parliament. Focusing on human rights, equality and social justice, she began as a teacher, gaining international experience at the World YWCA. She founded the non-profit Umlambo Foundation.

Yet, experience and evidence has demonstrated that when women participate in decision-making processes, more inclusive decisions are made, diverse voices are heard, and different solutions are created. This leads to better outcomes for everyone. When women are equally represented in Parliaments, they are better able to raise the profile of key issues, including sexual and reproductive health and rights, childcare and equal pay, as well as broader development issues, such as the alleviation of poverty. In the context of COVID-19, women Parliamentarians can play a key role in driving political, media and public attention to the pandemic's disproportionate socio-economic impact on women who are overrepresented in informal and vulnerable employment, as well as to the need for essential services to address the spike in domestic violence during lockdowns. Having more women in high-level positions also challenges discriminatory social norms and stereotypes and sends a message that women leaders are just as legitimate and capable as men.

### Opportunities for action

Parliamentarians play a vital role in dismantling the persistent obstacles, both in law and in culture, to women's leadership. For instance, discriminatory laws, systems and attitudes about women's ability to lead can hinder their ability to participate in politics and decision-making roles, while violence against women remains one of the most serious obstacles to the realization of women's political,

social and economic rights today. Despite this reality, the political will to change the status quo is often lacking.

UN Women's **Call to Action to Parliamentarians** provides a framework for tackling these barriers. Launched in 2019, at the Annual Summit of Women Political Leaders (WPL) ahead of the G-20 Summit in Tokyo, Japan, it calls on Parliamentarians around the world to build on Member States' experiences and best practices on how to achieve a gender equal world through legislation and parliamentary work, focusing on five key acceleration points: 1) Ending discriminatory laws; 2) Increasing the number of women in Parliaments, Cabinets and leadership; 3) Implementing progressive law reforms; 4) Challenging norms and traditional gender stereotyping; 5) Supporting other women in politics.

The Call to Action is part of UN Women's **Generation Equality** campaign<sup>2</sup>, which is bringing together Member States, civil society organisations, UN agencies, young people and the private sector to take urgent action for gender equality. A multilateral, multigenerational approach is at the heart of Generation Equality, and its six **Action Coalitions**, one of which will be focused on Feminist Movements and Leadership. The issue of women's leadership will also top the agenda at the 65<sup>th</sup> Session of the Commission on the Status of Women in March 2021, which will have a priority theme focused on women's full and effective participation and decision-making in public life, as well as the elimination of violence.

A critical part of addressing the issue of women's leadership and participation is challenging the perception of what a leader looks

Credit: Cámara de Diputadas y Diputados de Chile/René Lescotez



Left: Legislators in Chile's Lower House of Congress vote on Bills during the COVID-19 pandemic, Valparaíso, Chile, 13 May 2020.



At a high-level event during the 74<sup>th</sup> UN General Assembly, UN Women and the Council of Women World Leaders came together to lend their voices and power to the Generation Equality campaign.

like. The initiative **Leaders for Generation Equality**<sup>3</sup>, launched in cooperation with the Council of Women World Leaders (CWWL), is bringing together leaders from business, academia, civil society, politics, youth movements and entertainment – from the Prime Minister of Iceland and CWWL Chair, Katrín Jakobsdóttir, and the former President of Malawi, Joyce Banda, to #MeToo founder Tarana Burke, and footballer and UN Women Goodwill Ambassador, Marta Vieira Da Silva. In lending their voices, impact and power to advocating for Generation Equality, and the empowerment of all women and girls, they are breaking down gender norms and stereotypes and providing powerful role models for girls and young women.

#### Working together for the future we want

As much as the pandemic has challenged us, it has also connected us, and shown that we cannot go back to the status quo. The recent rise in activism and movements speaking out against racial injustice, including its intersection with gender inequality, homophobia and other forms of discrimination is leading to a global reckoning with the structures, systems and unconscious biases that sustain inequality, including within our own organisations.

As we rebuild from conflict and Coronavirus, let us heed the UN Secretary-General's call to reject inequality and division, and embrace a shared vision of peace and equal opportunities, rights and freedoms of all for all. It is up to us, as the UN and as UN Women,

to defend the values upon which we were founded, and to amplify the voices of women and girls around the world.

I urge Parliamentarians across the Commonwealth, and around the world, to use their positions and power to ensure political accountability on gender equality commitments and to sound the siren for urgent political action to fulfill the commitments of the Beijing Platform for Action and the Sustainable Development Goals. By supporting the changing of discriminatory laws, working to boost the number of women in leadership positions and defying the gender stereotypes that hold women back, Parliamentarians can accelerate impactful change for women and girls.

Together, we can ensure that 2020 will not merely be remembered as the year of the COVID-19 pandemic, but as the year we took significant steps towards an equal world for women and girls. That is the future we want, and the future the world needs.

Please visit [www.unwomen.org](http://www.unwomen.org) for more information.

#### References:

- <sup>1</sup> <https://www.ipu.org/resources/publications/infographics/2020-03/women-in-politics-2020>
- <sup>2</sup> <https://www.unwomen.org/en/get-involved/beijing-plus-25/about>
- <sup>3</sup> <https://forum.generationequality.org/leaders-generation-equality>

## UN WOMEN'S 10<sup>TH</sup> ANNIVERSARY, THE FUTURE OF GENDER EQUALITY AND THE EMPOWERMENT OF WOMEN IN THE COMMONWEALTH

On 2 July 2010, the UN General Assembly adopted a landmark resolution to merge four parts of the United Nations system into the United Nations Entity for Gender Equality and the Empowerment of Women – known as UN Women. Now ten years on from this historical turning point, UN Women has marked its 10th anniversary which is a significant achievement that should be celebrated by all individuals, but in particular, non-governmental entities and organisations committed to advancing gender equality such as the Commonwealth Parliamentary Association's (CPA) network for women Parliamentarians, the Commonwealth Women Parliamentarians (CWP).

UN Women works globally in around 90 countries delivering a remarkable overflow of activities and programmes that focus on areas of priority such as women's leadership and political participation, economic empowerment, ending violence against women, peace and security, humanitarian action and much more. However, despite the successes it has achieved throughout recent years, the recent outbreak of Coronavirus (COVID-19) reveals that there is still more work to be done by global institutions to achieve gender equality.

In a statement made by Her Excellency Phumzile Mlambo-Ngcuka, UN Under-Secretary-General and Executive Director of UN Women on the 10 year anniversary of UN Women, she asserted that *"in the midst of the COVID-19 pandemic, the human rights of women and girls have more prominence, universality and more urgency than ever before."*<sup>1</sup>

Research conducted by the United Nations on the impact of COVID-19 on women, has shown that in two Commonwealth countries, Cyprus and Singapore, since the outbreak of COVID-19, domestic violence helplines have registered a rise in calls of 30% and 33% respectively.<sup>2</sup> UNICEF published findings that demonstrate COVID-19 could have a profound impact on efforts made to end female genital mutilation (FGM) by 2030 and predict that progress

towards achieving this important goal may reduce by one-third which could lead to an additional increase of 2 million FGM cases over the next decade that could have been averted. Yet of greater importance to the work and core priorities of the CWP, recent studies administered by the United Nations inform us that policies that fail to consult or include women in decision-making are less effective and at times harmful. The UN Secretary-General, António Guterres, stated in an official address urging governments to put women and girls at the centre of their recovery efforts that *"limited gains in gender equality and women's rights made over the decades are in danger of being rolled back due to the COVID-19 pandemic."*<sup>3</sup>

Parliaments across the Commonwealth must strive to ensure that women are heard and equally represented in all areas of decision-making in order to contribute to the successful resolution of challenges and issues that have not only arisen during this period of great difficulty but that could appear in the near future. It is therefore now more important than ever that the CWP continues to exert its influence across the Commonwealth.

As an entity that has celebrated over 30 years of service dedicated to advancing issues around gender equality, has advocated for better representation of women in Parliament, and provided capacity-building tailored to women Parliamentarians' roles as legislators, scrutineers and representatives, the CWP is committed to championing gender equality and the empowerment of women across the Commonwealth as recognised in the Commonwealth Charter. Now over 3,000 women strong and represented in over 180 Parliaments and Legislatures, the CWP is devoted to supporting all Branches belonging to the membership of the CPA to work towards attaining the targets needed to achieve SDG 5.

After a series of consultations with members of the CWP International Steering Committee, women Parliamentarians and Parliaments from across the Commonwealth, the CWP took another



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Commonwealth Women Parliamentarians from the CWP Pacific Region met for their CWP Regional Conference in Niue in February 2020 to discuss gender equality and effective communication, with MPs attending from across the Region.

formidable step towards supporting women Parliamentarians by officially realising its three-year Strategic Plan for the years 2020 to 2022 on 14 August 2020.

The CWP Strategic Plan is underpinned by four key principles which will guide the work of the CWP across the next three years; maximising the role of women Parliamentarians; building the capacity of women Parliamentarians; advocating for mentoring and knowledge sharing amongst women Parliamentarians and; proactively encourage women Parliamentarians to take a central role in gender mainstreaming at all levels of decision making.

Many Regions of the CPA have already been proactive in delivering impactful work needed to achieve the outputs and outcomes of the Strategy. In February 2020, the CWP British Islands and Mediterranean Region held their 7<sup>th</sup> annual Commonwealth Women Parliamentarians Regional Conference in the Falkland Islands where Members in attendance discussed pertinent issues such as combatting gender stereotypes in small communities, mentoring of women Parliamentarians and creating opportunities for women in the future in small communities, encouraging women to stand for public office amongst many other subjects. In addition, the CWP Pacific Region also held their CWP Regional Conference in February 2020 in Niue, to discuss gender equality and effective communication, with MPs attending from across the Region. In July of this year, the CWP Australia Region launched their CWP Australia website that seeks to raise awareness of their Regional activities and action agenda but also highlights and outstanding achievements such as having over 40% women in Parliaments in the Region.

The CWP Chairperson also participated in a webinar on the 'Impact of COVID-19 on Women's Entrepreneurship: Challenges and Opportunities' hosted by UN Women Pakistan, the African Development Bank and the Islamic Development Bank where she spoke alongside a number of key speakers from the CPA Asia Region. With many more activities and programmes currently being planned for the remainder of the year, this is just the beginning of many of the CWP network's accomplishments.

Despite many Parliaments facing delays and challenges during this period of uncertainty, the year 2020 has presented itself with some success in increasing the representation of

women in Parliaments across the Commonwealth that should not be disregarded. The Parliament of Kiribati made history in their elections that took place in April 2020 with Members of Parliament voting for the country's first female Speaker of Parliament, and an additional four women Parliamentarians were elected, the highest number of women in their Parliament so far.

As CWP looks ahead to the implementation of its strategy to promote the representation of women Parliamentarians and issues relating to gender, the success and achievements of the CWP network can serve as a great example to women Parliamentarians, Parliaments, organisations and institutions within and beyond the Commonwealth.

The CWP continues to work with UN Women and many other international stakeholders to ensure that women Parliamentarians belonging to the CWP membership are supported and that the CWP continues to deliver important work in the way of achieving the network's goals of increased female representation and gender equality in Parliaments across the Commonwealth.

#### References:

<sup>1</sup> <https://www.unwomen.org/en/news/stories/2020/6/statement-ed-phumzile-un-women-turns-10>

<sup>2</sup> <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>

<sup>3</sup> <https://news.un.org/en/story/2020/04/1061452>



# INSIGHTS INTO BEING THE MINISTER OF EDUCATION

The Education portfolio is one of the most important in government. A former Education Minister from Yukon, Canada gives an insight into his experience of the role.



**Patrick Rouble** served as the Member of the Legislative Assembly of Yukon in Canada for Southern Lakes from 2002 to 2011. He was the Territory's Minister of Education for five years. He is currently Principal Consultant at Transom Frame Consulting. He recently received a Doctorate in Education from the University of Calgary and his dissertation examined the experiences of several Canadian Provincial Ministers of Education.

Education is a significant portfolio in any provincial or territorial cabinet. The Education Minister makes decisions and works with others to accomplish specific functions that affect individual students and society as a whole. They are widely seen to have a key role in shaping the future, and as such, the pressure on them to perform well and succeed is immense. Surprisingly, for such an important position, new appointees often find they are unprepared for all that is expected of them.

In this article, the author, a former Territorial Education Minister, summarises his doctoral research into education leadership. Employing interviews with other former Education Ministers from across the country and the political spectrum, he endeavoured to develop an interpretive understanding of the position through the lens of identity.

Four common themes were developed from the stories of the former Ministers: changing identity, voicing identity, educating identity, and trusting identity. He concludes by expressing hope that his analysis and research will help us do a better job of preparing people who assume these positions to understand their roles and responsibilities.

Creating a better understanding of the experience of being a Minister of Education proved to be a thought-provoking academic project. The position is complex and multifaceted. It involves being a politician, a representative, a

decision-maker, and a leader. And, it involves operating in the contentious, emotional field of education. Revisiting the experience through a researcher's lens was interesting, frustrating, and rewarding. It was an opportunity to study various philosophical perspectives, examine political science theories (something I had not done before entering politics), and carefully consider how others had experienced the position.

Even though I had been in the position for five years, this research activity was a bit of a revelation. When I took office, I had next to no training or orientation for what I was about to experience. Other than an afternoon with the Clerk of the Legislative Assembly, a day with a communications specialist, and a stack of briefing books, there was very little preparation for the position. It seems that many of my colleagues found themselves in similar positions. As several researchers have noted, including Loat and MacMillan, newly elected officials, Cabinet Ministers included, tend to have a poor understanding of the role that they are about to undertake.

Comparing and contrasting provincial Education Acts, researching the concepts of Ministerial responsibility and Cabinet solidarity, and examining leadership theories provided a theoretical understanding of the position. However, I was interested in trying to explain how people actually lived the experience of being the Minister of

Education. To this end, I used a 'hermeneutic phenomenological methodological' approach – in plain language, I interviewed other former Ministers of Education from across the country, analysed their comments, and presented a nuanced thematic understanding of the experience.

Some interesting statistics emerged when I examined who had been a provincial Education Minister in Canada. About 81 different individuals had been provincial Education Ministers in Canada between 2000 and 2016. The average time holding that office was just under two years. Only 34 people (42%) had held the position for more than two years. The breakdown by gender was 62% male and

**“The Education Minister makes decisions and works with others to accomplish specific functions that affect individual students and society as a whole. They are widely seen to have a key role in shaping the future, and as such the pressure on them to perform well and succeed is immense.”**



38% female. And, 52% of the Ministers had a substantial background in education (either having been employed in the field or having received post-secondary education in the field). This finding is inconsistent with the typical practice of Premiers not putting a subject matter expert in charge of a portfolio.

In order to hear from a fairly broad spectrum of people and to gather good stories, I interviewed five former Ministers of Education in Canada. The participants included men and women; former representatives from five different provinces in the West, the Prairies, Central Canada, and the Maritimes; Members of Conservative, Liberal, and New Democratic Parties; and people from a variety of professions (including former educators). I kept the names of the participants in the study confidential. In addition to this being a condition of the university's ethics review board, I believe that keeping the identity of the participants confidential encouraged frank and open discussion.

The participants in the study were generous with their time and forthright with their comments. I conducted two interviews with each participant. Some of the topics I set out to discuss included: the process involved in transitioning from being a concerned citizen to becoming the Minister of Education, the duties and actions of the office, the constraints that the Minister of Education is under, the role and influence of stakeholders, and the impacts of being a public figure. Thankfully, the methodology allowed for some deviation from my prescribed path; as one participant commented, we ultimately had some cathartic conversations. I believe that when we are in office, we are often too focussed on the important issues and crises that we face daily to reflect on the

experience holistically. These interviews were an opportunity for some of the participants to revisit situations that they had not thought about for some time and to reflect upon them. I appreciated hearing their stories, lessons learned, and insights.

The participants and I discussed topics such as: how the Minister is not omnipotent and cannot change everything all of the time; the challenge of making decisions when one is not an expert in the field; the challenge of finding trustworthy advice; and how politics often trumps evidence. We also discussed some personal issues such as how staying true to everything, including oneself, can be challenging; how Ministers have to play by the rules whereas other stakeholders do not always seem to have to; and how people seem to treat the person who is now a Minister differently than they did prior to the appointment.

I found that the concept of identity was an important one. Identity, and the politics around identity, has recently become a hot topic. It is not my intention to fuel this fire. Nevertheless, being the Minister of Education is a human experience. It involves someone - not some impersonal edifice - making decisions; a real person with his or her own experiences, beliefs, values, and frailties; a person with a unique identity.

Identity can be defined as the fact of being who or what a person is. Some academics suggest that our understanding of who we are and how others perceive us is strongly influenced by people's experiences, social interactions, and group memberships and that identity is not fixed. When someone gets involved in politics, gets elected, and becomes a Minister, that person certainly has significant experiences and interactions, and belongs to new groups. I suggest that the person is

changed by the experience.

The role of identity was further considered as I developed four common themes from the stories of the former Ministers: changing identity, voicing identity, educating identity, and trusting identity. I then examined the experience of being a Minister of Education, not by how the participants had experienced the activities of the office - the plot - but through the important points - the themes - that had emerged.

The first theme, changing identity, came through in several different perspectives. There is the micro changing identity of the individual in the position and the macro intention of changing the identity of people in the province. The former involves the transition from concerned citizen to Minister of Education. This process involves several steps and influences what the individual can say, do, and act upon. Ministers often start out as concerned citizens who demonstrate some sort of capacity in their community and who join a political party that aligns with their personal views and values. When they join a party, they accept the party's philosophical perspectives, positions, and platforms - even though they might not agree with everything. When they are selected as candidates, they are responsible for carrying this platform forward and explaining why they, their party, and their leader are best suited for the job of governing. As elected representatives, they become responsible for carrying the voice of their constituents into discussions and debates. Again, this is not always a consistent, homogeneous voice.

When these concerned citizens become Ministers, affected by the Oaths of Office, Ministerial responsibility, and Cabinet solidarity, they become the voice of the government. No longer can they muse about

what the government should do. What they say is now taken to be the position of the government. Additional changes often occur; for example, moving to a new city, being in a new organisation, wearing a new wardrobe suitable for the position, and becoming accustomed to being addressed as Minister, rather than by their given name. My small sample also suggested that becoming the Minister also includes changing habits. Almost all said that while in office, they took less personal care. Most said they gained weight and got out of shape. And some, unfortunately, said they became more cynical and insular.

Changing identity also relates to macro considerations of why people become involved in politics in the first place. The purpose of my study was not to determine why people become politicians, but it became apparent from my discussions that the participants got involved in politics to make changes and to "*change the direction the province was going in.*" In other words, they wanted to change the identity of the province. By changing legislation, policy, and budget expenditures, governments affect the people in the province, and these changes influence opinions, behaviours, and cultures. Beliefs that were once common evolve over time. Political leaders, including Ministers of Education, are often arbitrators and instigators of such change, both following and leading the views of the public.

Education Ministers are also expected to represent the voices of numerous different perspectives or identities. Briefly stated, the Minister is expected to be the voice of the people to the department and the voice of the department to the people. But the position is much more complex than this summary suggests. Ministers carry their



## INSIGHTS INTO BEING THE MINISTER OF EDUCATION

own voice, based on their own education, experiences, and beliefs; they also carry the voice of their party, and they are the elected voice of their constituency. They are expected to stand behind the platform and implement it. They are often expected to be the voice of people dissatisfied by the system: *"I just got this letter. What can we do to fix their problem?"* appears to be a common refrain. In Cabinet budget, and policy meetings, they are expected to be the voice of the department and to strongly present the department's needs and perspectives. In departmental meetings, they are often the voice of the government explaining the final government position - one that may be different from the one the department suggested the government take. And, in the Legislative Assembly and in the media, they are often a synthesis of the voice of the department; they must explain or defend why the department did certain things while reconciling this stance with the positions and actions of the government.

The Minister of Education is expected to voice a complex identity and perform a complex role. Before Ministers speak, they must consider the position of the government, the capacity and position of their department, the philosophy of their political party, the platform they committed to implementing, the opinions of people in the province, and their own personal knowledge and beliefs. Being trusted by others to be their voice is a profound responsibility that significantly influences the Minister. When I asked participants whether they were often presented with speeches to deliver what had been written by others, some commented that they never delivered a speech exactly as written: the information in the prepared speech was often

incorporated into what they said, but, ultimately, they decided what to say and how to say it. I found this to be an important concept. The Minister of Education is often expected to be an interpreter, or a bridge, between various groups.

Being the Minister of Education involves being selected by others to make decisions and then working with others to accomplish specific functions that affect students and society. Trust is an important consideration in this position. The Minister needs to be trusted and needs to trust others. Trust has a variety of definitions and interpretations. In some cases, someone who is trusted is expected to act in the best interests of the other; in others, trust involves believing or accepting something without seeking verification or evidence for it.

Education Ministers are involved in a diverse array of relationships that involve trust - relationships in which they are expected to take another's perspective into account when making decisions. They are trusted by party members, constituents, and the Premier in the process of becoming the Minister of Education. They have relationships with Cabinet colleagues that are influenced by the concept of Cabinet solidarity. As appointed leaders, they have relationships with their department and other people involved in education, including subject matter experts, administrators, and teachers. As participants in the provincial budget process, they have a relationship with taxpayers. As the person ultimately responsible for the education system, they also have a relationship with students. And, they have relationships with staff, the media, and other stakeholders.

The issue of whether an

MLA is a trustee or a delegate - one who votes as constituents direct or one who exercises his or her own judgement - was discussed with some of the participants. Several said that even though they felt that it was vital to represent their constituents, they often found themselves in complex situations that required situational and contextual consideration. They had time and resources to study issues in more depth than most constituents could, and they had the responsibility to look at an issue from multiple perspectives. But, at the end of the day, they had to make a decision that they could personally live with.

In addition to trusting the Premier and other Cabinet Ministers, the Minister of Education must also trust the staff of the department. When asked about this situation, one participant said that when she first started in the position, she questioned who these people were, who they held allegiances to, and if they were aligned with another political party. However, she soon realised the professionalism of the public servants that she worked with and trusted them. Conversely, another participant shared a story of how a person in his department who had been at the centre of an embarrassing issue for the government later campaigned for an Opposition party. It seems that the Minister is required to trust the department for information, and except for the most exceptional circumstances, that trust is well placed.

This is not to say that Ministers do not test or question the advice that they receive. One participant made a point of asking specific questions about briefing materials to test the quality of the information presented. Another participant suggested that although it was important to trust the system, it was also important to test the

system. She put forward the position that people needed to have solid evidence so that they could have trust in the system.

Participants shared stories of overturning decisions made by others, including decisions of teachers, principals, school boards, department staff, and former governments. Even though others in the system were trusted to make decisions, these Education Ministers involved themselves in situations and directed different courses of action. Reasons for overturning decisions included: the belief that the decision was not consistent with the good of the public; the belief that the decision was inconsistent with legislation; strong public opinion against the decision; strong personal beliefs that the decision was wrong; and to satisfy other stakeholders in the system. In our hierarchical governance system, it seems that leaders often trust others to make decisions that they will agree with.

In education systems, duties are frequently delegated to others. Additionally, the concept of academic independence comes into play in the field of education. Nevertheless, in our system of governance, the Minister is still held accountable for the outcomes of decisions delegated to others and for the actions of those in the department. Participants shared stories of situations where others in the system did something that certain citizens did not agree with. In some cases, the Minister defended the actions of the individuals; in others, the Minister overturned the decisions. People in the system were trusted to carry out their duties; but, if they did not carry them out in a manner that was satisfactory, the Minister (either directly, or through subordinates) was expected - trusted - to become involved.

Some participants also shared stories related to the concept of the public losing trust



in politicians. One said, “We’ve allowed, as a society, the media and the general public to paint us all [politicians] as liars and cheats. And that we are only in it for ourselves and that we can’t be trusted.” This dichotomy - being empowered by the system, but not trusted by those in the system - frustrated several participants.

The matter of how politicians experience trust - being trusted, trusting others, building trust, and recovering trust - is a large issue. The theme of trusting identities is an important one in understanding the experience of being a Minister of Education. Ministers need to trust themselves and have confidence in their abilities. They need to be aware that they must be trusted by others and take steps to build that trust. They need to be able to trust the roles and systems that they interact with. And they need to intervene when others have a lack of trust or a feeling that their interests are not being served. I think that this broad concept of trust and how it is experienced is worth examining further.

After examining the experiences of several former Education Ministers, I considered how this position is different from leading other portfolios. The main characteristics - anxiety, authority, and accountability - have an impact on education. I appreciate that they may be contentious topics, especially coming from a former Minister of Education who researched the experiences of other former Ministers of Education, but these points are important to consider.

Our collective anxiety about the future is often held in education. People see the public education system as the answer for preparing people for whatever is to come. The belief that more education is the answer for addressing problems suggests, ironically, that our current education system is to blame for our current situation.

Education is often seen as a scapegoat for ongoing problems in society. As the one responsible for education, the Minister of Education is therefore responsible for the problems of today and for solving them for the future. Education Ministers are expected to prepare people for the future and to put in place education programs to ensure that everyone will behave as they should so that individual and societal problems are remedied. With such lofty expectations, it is no wonder that few people want to be in the position and that most in the position last fewer than two years.

The Minister of Education is expected to be an authority on education and to make decisions affecting the provincial education system. The Minister has the authority to establish courses of study, approve curriculum, set funding priorities, and exercise other considerable powers. However, expert knowledge of education is not a requirement for being the Minister of Education. Ministers are appointed to the position for multiple reasons. They may therefore face situations in which they lack specific subject matter knowledge to make informed decisions. They rely on the advice of others, consider the other previously discussed forces that influence decision-making, and often “trust their gut.”

Education is a contested space with multiple perspectives, beliefs, and positions. It is strongly influenced by personal experience. Education is also political. Elected decision-makers – politicians - at multiple levels, including school councils, school boards, associations, and Provincial Assemblies, are entrusted with the power to make decisions. Although they use research (often in the form of recommendations from others), they are also influenced by other factors, such as personal experience, public perceptions,

and political positioning.

Education is a subject that is widely researched, and this research influences teachers, administrators, and other education professionals. Research is also used to inform practice, assessment, policy, and other issues in education. However, the research is often inconsistent and inconclusive. Additionally, it is often ideologically or politically influenced. Unlike other fields, there is no single, universally recognised authority for education research.

This situation leads to the issue of accountability in education. The Minister of Education is accountable for government expenditures; legislation, regulation, and government policy; and the actions of those funded by government expenditures. The Minister is held to account for the performance of the department. In education, this often relates to the performance of students. There are many actors in education: students, parents, teachers, administrators, school boards, departments, and others. All are expected to perform. But from my research and experience, it appears that the Minister, due to the hierarchical nature of the system and the convention of Ministerial responsibility, is ultimately accountable for everyone’s actions. I was once told by a parent that if his son could not read, it was my fault. Decision-making is distributed throughout the system, but accountability for decision-making frequently is not.

Having left political office, it has been an interesting, enlightening, and rewarding experience to go back and relive aspects of the position through the experiences of other former Education Ministers. I have had a chance to reflect on their experiences and develop insights into what it means to be

the Minister of Education. There were many ‘a-ha’ moments and times when I wished that I had known then what I know now. Being a Cabinet Minister, a representative, and a politician is an important position in our society, one too important to be left up to happenstance and political expediency. We need to do a better job, I think, of preparing new people for the positions we entrust them with.

I hope that this analysis encourages further discussion about the role and activities of the Minister of Education. I sincerely hope that it encourages Ministers to think about their role and the important issues in education. Additionally, I hope that it encourages others to seek out the thoughts and perspectives of those who have been in positions of responsibility, authority, and power. By better understanding the experience, the expectations, and the underlying systems, we can, I hope, make better, more informed decisions that result in more optimal and intentional outcomes.

This article was initially published in the *Canadian Parliamentary Review* (Autumn 2019). The article is based on the full dissertation, ‘Anxiety, Authority, and Accountability: The Experience of Being a Minister Responsible for Education’, which can be found online.

## References:

- Patrick Rouble, *Anxiety, Authority, and Accountability: The Experience of Being a Minister Responsible for Education* (doctoral dissertation, University of Calgary, 2018), <https://doi.org/10.11575/PRISM/33215>.
- Alison Loat and Michael MacMillan, *Tragedy in the Commons: Former Members of Parliament Speak Out About Canada’s Failing Democracy* (Toronto, Canada: Random House of Canada, 2014).



# DECRIMINALISING THE ELECTORAL SYSTEM IN INDIA: REFORMS BY THE JUDICIARY



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On 13 February 2020, the Supreme Court of India directed that political parties should upload on their websites detailed information regarding individuals with pending criminal cases, who have been selected as candidates, along with reasons for such selection. The parties were also ordered to explain as to why other individuals without criminal antecedents could not be found for nomination.

The reasons for selection shall be with reference to the qualifications, achievements and merit of the candidate concerned, and not mere 'winnability' at the polls. The Court issued these directions in exercise of its constitutional powers under *Articles 129* and *142* of the Constitution of India, while delivering a judgment in a Contempt Petition filed against the Election Commission.

The Court further enjoined that information regarding the selected candidate's criminal antecedents should be published in one local vernacular newspaper and one national newspaper, as well as official social media platforms of the political party, including Facebook and Twitter. These details shall be published within 48 hours of the selection of the candidate or not less than two weeks before the first date of filing of nominations, whichever is earlier. The political party concerned shall then submit a report of compliance to the Election Commission within 72 hours of the selection of the

said candidate. If a political party fails to submit such compliance report, the Election Commission shall bring it to the notice of the Supreme Court as being in contempt of the Court's direction.

The Court also noted that over the last four general elections there had been an alarming increase in the incidence of criminality in politics. In 2004, 24% of the Members of Parliament had criminal cases pending against them; in 2009, it went up to 30%; in 2014 to 34%; and in 2019 as many as 43% of MPs had criminal cases pending against them.

For the Apex Judicial Court of the country to issue such detailed Executive instructions is by itself an expression of its anguish and frustration at the failure of the political ecosystem, in general, and the Parliament, in particular, to take adequate steps to keep persons with established criminal backgrounds away from the sacred portals of the country's legislative bodies, in spite of the Court having nudged them, from time to time, in this regard in the past.

The Contempt Petition in relation to which the Supreme Court delivered the aforementioned order, relates to its judgment delivered on 25 September 2018 (*Public Interest Foundation & Ors Vs Union Of India & Anr*) in which the Court had issued the following directions:

- Each contesting candidate shall fill up the form as

provided by the Election Commission and the form must contain all the particulars as required therein.

- It shall state, in bold letters, the criminal cases pending against the candidate.
- If a candidate is contesting an election on the ticket of a particular party, he/she is required to inform the party about the criminal cases pending against him/her.
- The concerned political party shall be obligated to put up on its website the aforesaid information pertaining to candidates having criminal antecedents.
- The candidate as well as the concerned political party shall issue a declaration in widely circulated newspapers in the locality about the antecedents of the candidate and also give wide publicity in the electronic media. *When we say wide publicity, we mean that it shall be done at least thrice after the filing of the nomination papers.*

It cannot be more specific than that, as far as a Court's directions can go; but still compliance did not follow. In all fairness, it must be mentioned that the five-judge Constitution Bench also held that a candidate cannot be disqualified merely because charges have been framed against him / her in a criminal case. The Bench also observed



that time had come for the Parliament to make a law to ensure that persons facing serious criminal cases do not enter into the political stream.

In all fairness, again, the Election Commission on 10 October 2018 accordingly issued a circular stating that the candidates at all elections are required to file an affidavit in Form-26, along with the nomination paper, declaring information about criminal cases, assets, liabilities and educational qualifications (some of these requirements were in compliance of earlier judgments of the Supreme Court). The Form included Tables for the candidate to publish in newspapers and on TV; and, for the political party to publish on its website, full details of the candidate's criminal antecedents. The candidates are thus required to publish the details in newspapers of wide circulation and make at least three insertions on three different dates after the last date

of withdrawal. The declarations have also to be aired on television channels on three different dates. The matter must be published in font size of not less than 12. The copies of these insertions have to be supplied to the Election Commission along with the account of poll expenses. However, apparently this initiative did not yield the desired results.

The Supreme Court's crusade against criminalisation of politics is a long drawn out saga. In recent times, it all began in 2002 (*Association for Democratic Reforms vs. Union of India*), when the Supreme Court mandated the disclosure of information relating to criminal antecedents, educational qualifications and personnel assets of candidates contesting elections. According to the Court, seeking this information was part of the Fundamental Right of the voter to be informed all relevant details about a contestant; it was an extension of the

freedom of expression [Article 19 (1) (a)].

Subsequently, in 2013, on a petition filed by Lily Thomas and Lok Prahari NGO, the Supreme Court ordered that if a sitting MP or MLA is convicted in a case, punishment for which was more than 2 years of imprisonment, then he or she would be disqualified immediately and the seat would be declared as vacant; thus setting aside clause 8(4) of the *Representation of People Act, 1951*. Clause 8(4) provided special privilege to MPs or MLAs to hold the office even after conviction, if an appeal had been filed in a higher court within a period of 3 months of conviction. In 2013 again, in the case of *People's Union for Civil Liberties vs Union of India and Anr*, the Supreme Court recognised negative voting as a constitutional right of a voter and directed the government to provide a 'NOTA' (None of The Above) option in the EVM (Electronic Voting Machine).

**Above: The High Court in Mumbai is one of the oldest High Court Buildings in India.**

Further, on a petition filed by Subramanian Swamy, the Supreme Court directed the Election Commission to introduce Voter Verifiable Paper Audit Trail (VVPAT). But thereby hangs a tale, to be recounted in another article.

In 2014, in *Public Interest Foundation vs. Union of India*, based on the recommendations of the Law Commission, the Supreme Court ordered that criminal trial pending against any Member of Parliament or Member of Legislative Assembly must be disposed of within a period of one year from the date of framing of the charge. Taking it from there, in 2017, the Supreme Court directed that the government should set up special courts to exclusively conduct time-bound trials of lawmakers accused of corruption and criminality. The government accordingly set up



## DECRIMINALISING THE ELECTORAL SYSTEM IN INDIA: REFORMS BY THE JUDICIARY



12 special courts. In 2018, the Supreme Court emphasised the need for 70 special courts to hear and decided criminal cases against Legislators, as 12 courts were grossly inadequate in view of a large number of cases (over 3,900) pending in courts. Subsequently, the Court decided to consider a request to designate a court in each district to take up pending cases against lawmakers on a priority basis.

As an extension of its aforementioned order of 2002 relating to the declaration of assets by the contesting candidates, in 2018, the Supreme Court ruled that apart from the declaration of assets, the candidate, at the time of filing of nomination, should also disclose his or her sources of income. Non-disclosure would amount to a corrupt practice within the mischief of section 123 of the *Representation of People Act, 1951*. The Court further directed the government to set up a permanent mechanism to monitor the accumulation of wealth of sitting MPs and MLAs, their spouses and associates, in order to maintain the purity of the electoral process and integrity

of the democratic system.

There are several other matters relating to electoral reforms, which are pending before the Supreme Court. In 2018, the Supreme Court decided to consider a life ban from contesting elections for persons convicted in criminal cases by declaring section 8 of the *Representation of People Act, 1951*, *ultra vires* the Constitution of India. Section 8 imposes only a six-year ban on contesting election on politicians serving out a sentence of two years or more in jail in criminal cases.

In 2018, again, the Supreme Court found ambiguity in the appointment of the Election Commissioners and referred the question to a constitution bench to consider the request of the petitioner, that the appointment of Election Commissioners should be made under a 'collegium system'. Another Public Interest Litigation has been filed for clarity on the procedure for removal of the other two Election Commissioners. It has been pleaded that they should be provided the same protection (removal through impeachment as in the case of

a Supreme Court judge) as the Chief Election Commissioner [first proviso to *Article 324 (5)*]. In its affidavit filed in this case the Election Commission has requested the Supreme Court that it should be vested with the power to make rules under the election laws, instead of the government.

Several of these decisions of the Supreme Court have come against the backdrop of various significant reports of Committees and Commissions. In 1990, the Goswami Committee on Electoral Reforms had highlighted the crippling effect of money and muscle power in elections.

In 1993, the N. N. Vohra Committee (in the context of the 1993 serial bomb blasts in Mumbai) concluded that agencies, including the Central Bureau of Investigation (CBI), Intelligence Bureau (IB) and Research and Analysis Wing (RAW), had unanimously expressed their opinion that the criminal network was virtually running a parallel government. The money power was being used to develop a network of muscle power, which was also used by politicians during elections.

In 2007, the 18<sup>th</sup> Report presented by a Parliamentary Committee to the Rajya Sabha had expressed a strong feeling that politics should be cleansed of persons with established criminal background.

*"Criminalisation of politics is the bane of society and negation of democracy,"* the Report said.

The Law Commission, in its 244<sup>th</sup> Report submitted in 2014, put it succinctly: *"instead of politicians having suspected links to criminal networks, as was the case earlier, it was persons with extensive criminal background began entering politics."*

The foregoing account of the judgments of the Supreme Court, as well as the reports of several Committees and the Law Commission, makes it amply clear that there is no dearth of wisdom and experience, coupled with guidelines and instructions, for improving the electoral ecosystem. The exhortations of the Supreme Court and the Parliamentary Committees notwithstanding, the will to cleanse the system of criminal elements is missing among those who have been vested with the power to decide. The million-dollar question, as usual, is: *'Who will bell the cat?'*

The expectation from the present judgment of the Supreme Court seems to be that the embarrassment of having to justify the criminal records of candidates may deter the political parties from nominating them and they may become more discriminating in their choices of candidates. But naming and shaming, will it work? It is a billion-dollar question, of course.

An earlier version of this article was published in **India Legal** (e-magazine) under the title *'Cleansing the Rot'*.



# PARLIAMENTARY EXPRESSIONS AND PRACTICES

In the second of a three-part series, this article looks at the origins and history of some of the parliamentary expressions and practices used in many Commonwealth Parliaments and Legislatures.



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## PART TWO

### 'Whips'<sup>1</sup>

Political parties have a significant role in the working of a democratic polity. 'Whips' in turn have role cut out for them in smooth conduct of party affairs particularly in matters pertaining to House proceedings. The outcome of their endeavours and the efficacy of 'whips' is manifest in the effective conduct of the passage of legislation and from a larger perspective, the House proceedings.

A 'whip' is a person, a crucial office bearer who also issues directives or manages directions issued by the party. Simply put, 'whips' are the office bearers of political or Legislature party officers with certain assigned tasks. 'Whips' are Members of Parliament who are appointed by each party in Parliament to help organise their party's contribution to parliamentary business. One of their responsibilities is making sure the maximum number of their party Members vote, and vote the way their party wants.

The use of the word 'whip' within the UK Parliament has its roots in the 18<sup>th</sup> century hunting terminology 'whipper-in' where it refers to a huntsman's assistant who drives straying hounds back to the main pack using a whip.

In many Parliaments, 'Whips' frequently act as the 'tellers' (counting votes in divisions). They also manage the 'pairing system' whereby Members of

opposing parties both agree not to vote when other business (such as a Select Committee visit overseas) prevents them from being present in Parliament.

'Whips' are also largely responsible (together with the Leader of the House) for arranging the business of Parliament. In this role they are frequently referred to as 'the usual channels'.

'Whips' is also the term given to the directives or voting instructions given to Members by the party, usually in a weekly notice. In their connotation as party directives or orders, the 'whips' or directions are said to be of three types – a one-line, two-line or three-line 'whips'. These are so called by the number of lines by which their text is underlined. The number of lines is indicative of the importance and urgency attached to a particular measure before the House.

### Colours used in the UK Houses of Parliament<sup>2</sup>

In the Westminster system of parliamentary democracies, the colour **Green** is associated with the Lower House (usually comprising of directly elected representatives of the people) and **Red** within the Upper House (the House of Elders or appointed representatives, by and large popularly known in the UK as the House of Lords).

Originating in the UK Parliament at Westminster, these traditional colours have been adopted by many

Commonwealth Parliaments over the years. These colour codes have an interesting legacy behind them and they have emerged as a time honoured convention.

### House of Commons (Green)

The colour **Green** is the principal colour for furnishings and fabrics throughout the Chamber and corridors used by the UK Parliament's House of Commons, except in some of the carpets which were designed for the post-Second World War rebuilding, where a mottled brown was used. From 1981, volumes of Hansard for the House of Commons were

**"In the Westminster system of parliamentary democracies, the colour Green is associated with the Lower House (usually comprising of directly elected representatives of the people) and Red within the Upper House (the House of Elders or appointed representatives)."**



The traditional green benches of the House of Commons (the Lower House) in the UK Parliament.

issued in green for the first time.

The colour **Green**, both before and during the medieval period, represented the bounty of nature and fertility. In ancient myth and legend, the colour appears in mysterious figures such as the 'Green Man'. Archers wore green, all men in the Middle Ages were obliged by law to practice archery, and they became the mainstay of English medieval armies. Green was also the colour of the pasture and the greenwood, of the village green used by all, in other words the colour of the countryman, or the 'common' man. These legends were translated into the Christian ideals of faith, hope and charity - everlasting faith, life over death, and rejuvenation of the soul through good works. Green was used in the backgrounds of religious paintings depicting these virtues.

According to the historical

records, the Plantagenet kings of England employed green for the most important rooms in the Palace of Westminster. Green was used in the thirteenth century by King Henry III, for his chapel of St Stephen, and for his most private chamber - the bedchamber known as the Painted Chamber - and even for the bed itself. The back of the south wall of Westminster Hall in the UK Parliament was also painted green at this time. Such a display of the colour in the principal areas of the palace in all probability is indicative of a desire to show symbolically the Christian virtues. Further, the livery colours of the Tudors (1485-1603) were vert and argent (green and white). It is possible to imagine that, just as the Tudor emblems of the portcullis and the rose appeared in the Palace, so might their colours have been given prominence out of loyalty

to, or to curry favour with, the Crown.

Not only did the King use green, but the high officials of the King's household also used it for their private offices near to the Lords' Chamber. For the coronation of James II in 1685, an order was made to the Gentleman Usher of the Black Rod for 'as much green serge as will hang the Archbishop of Canterbury's room, the Lord Chancellor's, the Lord Treasurer's and the Lord Great Chamberlain's, to be done in all respects as they were before.' As a calm, peaceful colour for an office it was ideal, and the noise-absorbent fabric was no doubt tacked to the walls.

It is of interest to note that at this time, theatres began to adopt the use of green from at least 1700. The colour was used widely for curtains, seats and even the stage itself, which became known as 'The Green'.

The 'Green Rooms' used for actors waiting to go on stage, has survived, at least in name, to the present time. As a theatre of debate at the centre of Parliament, it is not surprising to see the parallel employment of the colour both in the parliamentary chamber as well as in the commercial theatre.

### **The use of green in the UK House of Commons Chamber**

The UK House of Commons, before they took up residence in the former royal chapel of St Stephen's at Westminster, had travelled the country borrowing temporarily various halls and cathedral chapter houses, but settling when at Westminster either in the refectory or chapter house of the Abbey. They also sat for some time in the hall of the Black Friars. There are no records of this, or of their various other meeting places, being decorated in green, but



Image copyright: UK Parliament

The traditional red benches of the House of Lords (the Upper House) in the UK Parliament.

it is not beyond the realms of possibility that they actually brought green with them to St Stephen's.

The St Stephen's Chapel, where the UK House of Commons sat from c.1548 to 1834, had been rebuilt under Edward I (1272-1307) and Edward II (1307-1327), and completed, painted and decorated during the reign of Edward III (1327-1377). St Stephen's Chapel must have given the impression of being a kaleidoscope of colours. The roof, we know, was blue, with gilded stars, and below the windows, above the cornice, were many painted Biblical characters and stories; the columns were decorated with 'pryntes'; the east end bore depictions of the Holy Family and King Edward III and his family. Maurice Hastings argued that the whole of the building was "ablaze with colour... hardly

*an inch of stonework was not painted or heavily gilded."* But there is no direct evidence that green figured on a large scale in these decorations.

When the Chapel was converted after 1548 for use by the House of Commons, Hastings presumed that hangings or tapestry of some kind were installed to cover the religious wall decorations. Later, these were replaced by wainscot paneling. It would then have been these panels which gave a predominating colour to the Chamber, but records of their colouring do not appear to have survived. The decoration at high level was whitewashed to achieve a Puritan simplicity, in the same way as most other churches and chapels at this time.

The first authoritative mention of the use of green in furnishing fabrics in the Chamber occurs in a book

of travels by De Monconys, published in Lyons, France in 1662. The House, he says, "*est une chambre mediocrement grande, environnée de six or sept rangs de dégrez, couverts de sarge verte, et disposez en amphithéatre...*" (*is a moderately large room, surrounded by six or seven graduated rows of seats covered in green serge, and positioned in the form of an amphitheatre*).

So it would appear that over 300 years ago, as now, the House of Commons benches were green, but upholstered in serge (or some other woollen fabric; the exact meaning of serge is now lost). Then as now the rows of seats were ranged in tiers ("*en amphitheatre*"). In 1670, a payment was recorded to the Serjeant Painter for "*paynting green in oyle the end of the seates, and a Dorecase...*" at the House of

Commons. Similarly, the Lord Chamberlain's accounts for 1672-3 record purchases of green woollen cloth for the House of Commons Chamber.

As early as 1698, seats had been provided at a public trial in their distinctive colours for the two Houses. In 1685, a positive welter of green furnishing was ordered: '*the Speaker's Chair and footstool to be new covered with green velvet, with a green velvet cushion, all trimmed with silk fringe; the table to be covered with a carpet of green cloth, with a silk fringe and a leather carpet to cover it; six green cloth cushions; drum lyar to draw the window curtains; the seats of the House to be mended and repaired; green serge to hang the lobby where the messengers from the House of Lords retire; green serge curtain for the serjeant's window in his little room*'.



### Remodeling of the House of Commons Chamber

Sir Christopher Wren carried out a transformation of the interior of the House of Commons Chamber by installing wooden paneling, a lower ceiling and new seating. Work was completed in 1692. The medieval appearance of the chapel was thereby removed in favour of a classical style, but the use of green for some of the fittings continued. The appearance and colour may clearly be seen in a painting by Tillemans of about 1710, and a description of the 1780s survives from the pen of a German traveller, Pastor Carl Moritz: *“All round on the sides of the House under the gallery are benches for the Members, covered with green cloth, always one above the other, like choirs in our churches...”*

The Clerk’s Table was also covered in green cloth. Later, green morocco leather replaced cloth for the seating.

In the Victorian palace, the demarcation of the red/green for the House of Lords and House of Commons areas was not so pronounced as it has become today. The House of Commons’ Chamber only had green seating, for example, whilst the curtains were brick red. Now the spread of green has taken over much of the decoration including woodwork, fixtures and in the House of Commons’ outbuildings, most notably in Portcullis House. It is most probable that green became the livery of the House of Commons simply by association; but whatever its origins, green has become the distinguishing colour of the UK House of Commons by custom stretching over more than 300 years. There is no standard shade of green; all gradations, from pale sage to deep malachite, are in use.



Image copyright: UK Parliament

### Red in the UK House of Lords

In the UK House of Lords, usage of the colour red, probably stems from its use by kings and queens, as a royal colour and its consequent employment in the room where the monarch met their court and nobles. The use of the red in Upper Houses of Parliament also probably stems from the use by the sovereign of red as a royal colour. The UK House of Lords Chamber adopted crimson, denoting regal authority and avoided the green colour of the ‘Other Place’.

Many Upper Houses in Commonwealth Parliaments have adopted the red colour for their chambers, denoting the seniority of their Legislative Chamber.

### ‘Dress Code’ in Houses of Parliament

Sartorial practices such as the wearing of the ceremonial robe and wig by the Speaker of Parliament and the wearing of robes by the Clerk of the House is an integral part of rituals of ceremonies of many Commonwealth Parliaments and Legislatures,

Above: Ceremonial robes are often only worn today for special occasions in the UK Parliament, such as here at the State Opening of Parliament in December 2019.

which emanate from the UK Parliament.

### Robes and wigs worn by Presiding Officers and Clerks of the House

The official dress of the Speaker and Officers of the House in the UK Parliament is described in Sir Peter Thorne’s Book<sup>3</sup>. Practice and usage has, however, varied, and at certain periods in the past, non-conformity with the ruling fashion has been a political statement, as with Oliver Cromwell [*“His linen was plain and not very clean ... his hat without a hatband ... a plain cloth suit ... made by an ill country tailor”*] and the Puritans. In the eighteenth century, formality was the rule and the fashion of wearing wigs caught on: they are retained today in the wigs of the Speaker and Clerks.<sup>4</sup>

In the UK Parliament, recent Speakers starting with Rt Hon. Baroness Boothroyd and recently, Rt Hon. John Bercow chose not to wear a wig in the

House of Commons.

Since February 2017, the Clerks of the House of Commons and other Clerks of the House have discontinued from wearing wigs. On 6 February 2017, the then Speaker of the House made a short statement announcing that Clerks would no longer be required to wear wigs and court dress in the House of Commons. However, the wearing of gowns to indicate their expertise in parliamentary procedure was continued. There was some controversy as the Members of the House were not consulted with regards to the changes. The Clerk of the House of Commons still wears a wig for state opening and prorogation.

In House of Lords while Lord Speaker too now no longer wears wig, the Clerk of the House of Lords and other Clerks of the House continue to wear wigs.

Hats were another aspect of parliamentary etiquette.



They were generally worn in the Chamber, but not when addressing the House, nor entering or leaving it. In the late nineteenth century, the tall hat was *de rigueur*.

The wearing of tall hats was challenged by Keir Hardie, who always wore a soft cap, and also through the Speaker's allowing a soft hat to Joseph Cowen, '*since the rigidity of the top hat subjected him to headache*'.

At this time, the Whips were the only Members not to wear hats. Alfred Kinnear MP, in 1900, summed up the hat-wearing rules as follows:-

*"At all times remove your hat on entering the House, and put it on upon taking your seat; and remove it again on rising for whatever purpose. If the MP asks a question he will stand, and with his hat off; and he may receive the answer of the Minister seated and with his hat on. If on a division he should have to challenge the ruling of the chair, he will sit and put his hat on. If he wishes to address the Speaker on a point of order not connected with a division, he will do so standing with his hat off. When he leaves the House to participate in a division he will take his hat off, but will vote with it on. If the Queen sends a message to be read from the chair, the Member will uncover. In short, how to take his seat, how to behave at prayers, and what to do with*

*his hat, form between them the ABC of the parliamentary scholar."*

To increase their appearance during debates and to be seen more easily, a Member wishing to raise a point of order during a division was, until 1998, required to speak with his hat on. Collapsible top hats were kept for the purpose. This requirement was abolished following recommendations from the Modernisation Select Committee<sup>5</sup>, which stated: '*At present, if a Member seeks to raise a point of order during a division, he or she must speak "seated and covered". In practice this means that an opera hat which is kept at each end of the Chamber has to be produced and passed to the Member concerned. This inevitably takes some time, during which the Member frequently seeks to use some other form of covering such as an Order Paper. This particular practice has almost certainly brought the House into greater ridicule than almost any other, particularly since the advent of television. We do not believe that it can be allowed to continue.*'

The Committee also recommended that Members raising such a point of order should do so by standing in the normal way but from a position on the second bench as close to the Chair as possible, so they

could be heard by both the Speaker and the Official Report. Male MPs may still not address the House whilst wearing a hat: women Members are exempt from this rule, though the different rules in society generally relating to female hat-wearing may well have caused a few problems when women first sat in the House in the 1920s.

Although it was at one time common for Members to wear swords in the Chamber (there is a record of an incident in the eighteenth century when one Member's sword impaled and removed another's wig), it is not now permitted to carry arms of any kind into debate. The Serjeant-at-Arms does, however, wear a sword whilst in the Chamber.

Medals are not worn in the House Chamber. It is also the case that a law made in the fourteenth century prevents the wearing of armour in the Houses of Parliament. The law which is still in force dates from 30 October 1313 under Edward II's reign.

### The Indian Parliament context<sup>6</sup>

On achieving the Independence of India, while many of the same ceremonies and ceremonial practices in the Parliament of India, associated with the Office of Speaker and the Table of the House, were adopted and adapted to the Indian ethos, not all ceremonies which originate from the British period were adopted. Practices such as the wearing of the robe and wig by the Speaker and wearing of robes by the Clerk of the House was discontinued.

In fact, even before Independence in 1946 when Shri Mavalankar was elected as the last President of the Central Legislative Assembly, he refused to wear the wig. A conscious view was taken that in a country which was

predominantly agrarian, grappling with poverty and social issues is a secular nation, the Parliament of India needed to connect and represent the ordinary citizens of the country. Hence, the practices such as wearing of wigs, robes, reading of prayers in the House were given up. Nevertheless, there is a dress code for the Secretary-General of the Lok Sabha and other Officers at the Table and parliamentary reporters. They have to wear buttoned up coats/tunics/ackhans and matching trousers, which is the traditional Indian dress (suitable Indian traditional wear for lady officers). Similarly, there is a dress code for Marshals and Chamber Attendants, but their attire is Indian in design.

### References:

- <sup>1</sup> For details article titled '*Whips in the India Parliament*' (*The Parliamentarian*), 2018 / Volume 99 / Issue One (pp. 57-59)
- <sup>2</sup> (i) Maurice Hastings' Parliament House (*Architectural Press*, 1950) 2 De Monconys, *Le Voyage d M. de Monconys* (Lyon, 1663) p65; (ii) [www.parliament.uk](http://www.parliament.uk); and (iii) [www.parliament.uk/documents/commons\\_informationoffice/glo](http://www.parliament.uk/documents/commons_informationoffice/glo).
- <sup>3</sup> Serjeant for the Commons, 4<sup>th</sup> ed., 2009 by Sir Peter Thorne. Also Reference from Campbell, Una (1989), *Robes of the Realm*, Michael O' Mara Books Ltd., London, pp 5354.
- <sup>4</sup> <https://www.parliament.uk/documents/commons-committees/procedure/170201-CW-Clerk-re-Table-dress.pdf>
- <sup>5</sup> Modernisation Select Committee of House of Commons: First Report – <https://publications.parliament.uk/pa/cm/1997-98/cmselect/cmmodern/190/md0102.htm>.
- <sup>6</sup> Extracts from the article 'Ceremony and Rituals in the Indian Parliament', *The Parliamentarian*, 2014, Issue Three XCV.



## Commonwealth Women Parliamentarians (CWP) reaffirms its core priority of promoting gender equality in Parliaments as it releases new three-year strategic plan

The Commonwealth Women Parliamentarians (CWP) network has officially published the CWP Strategic Plan 2020-2022 which sets out its core priority to encourage women Parliamentarians and Commonwealth Parliaments to advance issues around gender equality and to advocate for greater representation of women in Parliaments across the Commonwealth.

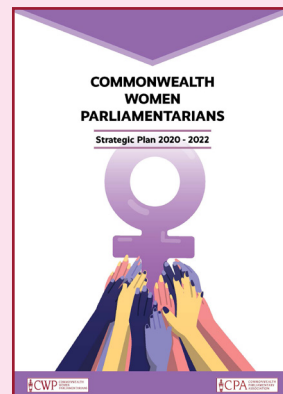
With over 3,000 women Parliamentarians represented in 180 national, sub-national, provincial and territorial Parliaments of the Commonwealth, the CWP provides a means of building the capacity of women elected to Parliament to be more effective in their roles, improving the awareness and ability of all Parliamentarians, male and female, and encouraging them to include a gender perspective in all aspects of their role - legislation, oversight and representation - helping Parliaments to become gender-sensitive institutions. The CWP Chairperson, Hon. Shandana Gulzar Khan, MNA (Pakistan) said: *"I encourage all women Parliamentarians across the CWP's membership, Branches and Regions of the Commonwealth Parliamentary Association to actively utilise and take ownership of this new Strategic Plan 2020-2022. Its success will be determined by our collective dedication to its implementation. I look forward to working with every member of the CWP to successfully fulfil this Plan."*

With the intention of progressing the work accomplished in the implementation of the network's previous Strategic Plan 2017-2019, initiated by the CWP's preceding Chairperson, Hon. Dr Dato Noraini Ahmad MP (Malaysia), this Strategic Plan 2020-2022 further refines the network's focus by streamlining its outputs

and priorities. Developed following a series of consultations with members of the CWP International Steering Committee, as well as other women Parliamentarians and Parliaments from across the Commonwealth, this new strategy will focus on addressing the following areas of concerns and key priorities: Women and leadership; Elimination of gender-based violence (GBV) in all its forms and harmful practices; Economic empowerment of women and; Equal access to national resources.

The CPA Secretary-General, Mr Stephen Twigg welcomed the launch of the CWP Strategic Plan 2020-2022 and stated: *"Women play a central role in advancing parliamentary democracy across the Commonwealth. Sustainable Development Goal 5 on gender equality is of critical importance to the Commonwealth Parliamentary Association. I am confident that the Commonwealth Women Parliamentarians network will play an increasingly important role in connecting, developing and supporting women Parliamentarians across the Commonwealth."*

Please visit [www.cpahq.org/cpahq/cwp](http://www.cpahq.org/cpahq/cwp) to download a copy of the CWP Strategic Plan 2020-2022 or email [hq.sec@cpahq.org](mailto:hq.sec@cpahq.org).



## Women from Pakistan, Western Australia and UK highlight 'shadow pandemic' of domestic abuse

A new CPA UK podcast has highlighted the 'shadow pandemic' of domestic abuse and the increased incidents during the COVID-19 pandemic. Four Commonwealth Women Parliamentarians held a wide-ranging discussion on the increase in domestic abuse during enforced 'lockdown' measures due to COVID-19.

Rt Hon. Maria Miller, MP (United Kingdom) highlighted that 'lockdown' measures across the world has confined families together in a household and has forced victims and perpetrators together whilst cutting off access to family and friends.

Hon. Rubina Jamil, MNA (Pakistan) spoke about the increasing number of domestic abuse cases in Pakistan and the campaign launched by the Ministry of Human Rights to increase the public awareness of domestic abuse and to create a national helpline, including an emergency *WhatsApp* number making it accessible for victims to text or call for support.

Julie Elliott, MP (United Kingdom) raised the fact that in the UK the number of calls to the National Domestic Abuse Helpline increased by 25% in the second week of lockdown and rose to 49% higher than normal after three weeks of lockdown.

Hon. Simone McGurk, MLA (Western Australia) is the Minister for Women's Interests and she discussed strengthening domestic abuse legislation and recent measures to introduce serial family offender declarations for perpetrators of abuse.

Visit [www.uk-cpa.org](http://www.uk-cpa.org) to hear the full podcast,

## Commonwealth Women Speakers at 13<sup>th</sup> Global Summit of Women Speakers of Parliament

Commonwealth Women Parliamentarians have attended the virtual 13<sup>th</sup> Global Summit of Women Speakers of Parliament on 17-18 August 2020 including Hon. Laura Tucker-Longworth, MP, Speaker of House of Representatives of Belize; Hon. Donatille Mukabilisa, Speaker of Chamber of Deputies of Rwanda; Hon. Thandi R. Modise, Speaker of National Assembly of South Africa; Hon. Bridgid Annisette-George, Speaker of House of Representatives of Trinidad & Tobago; and Hon. Christine Kangaloo, President of Senate of Trinidad & Tobago. The virtual global summit provided women in the highest decision-making positions of Parliaments with a unique forum and opportunity to exchange ideas and experiences which are of interest to their national and international agendas.

Former CWP Chairperson, Rt Hon. Rebecca Kadaga, MP, Speaker of the Parliament of Uganda chaired a session on *'Stepping up women's economic empowerment and financial inclusion'* and former CPA Chairperson, Hon Dr Shirin Sharmin Chaudhury, MP, Speaker of the Parliament of Bangladesh chaired a session on *'Putting an end to sexism, harassment and violence against women in Parliament and in all walks of life'*.

The keynote address was given by Phumzile Mlambo-Ngcuka, Executive Director, UN Women on the many challenges facing women across the world in the light of COVID-19 pandemic. The virtual summit focused on collective and individual action needed to step up equality between men and women, building on the 25<sup>th</sup> anniversary of the Beijing Declaration and Platform for Action.



## CWP New Zealand support new sculpture project to commemorate women MPs and their bi-cultural journey to Parliament

The Wellington Sculpture Trust, working with the Speaker of the New Zealand Parliament, Rt Hon. Trevor Mallard, MP, is to commission a sculpture to celebrate the journey that the women of New Zealand have made to become Members of Parliament. The Speaker of the New Zealand Parliament said: *"I am pleased to see this work be commissioned, and it will mark the contribution made to the New Zealand Parliament by many women throughout the years."*

The project has been supported by the Commonwealth Women Parliamentarians (CWP) New Zealand. Deputy Speaker of the New Zealand Parliament, Rt Hon. Anne Tolley said: *"The Commonwealth Women Parliamentarians believed that this was an important story to be told within the grounds of Parliament and, more particularly, as we near the 130th anniversary of the franchise for women in New Zealand. We approached the Wellington Sculpture Trust to see if they would undertake the commissioning of this important work because of their extensive experience in delivering public works of art in Wellington and the excellence and rigour of their processes."*

Sue Elliott, Chair of the Wellington Sculpture Trust noted that the *"work is not to celebrate one woman, but the journey of many who fought for the right for women to vote. They did this through incredible hard work and personal sacrifice, as did the inspirational women who first stood for Parliament against the odds."* She added that the brief provided to selected artists will ask them to address the narrative of the over 150 women who have become Members of Parliament and all the women



Above: The Speaker and Deputy Speaker of the Parliament of New Zealand attend the first meeting of the special Parliamentary Sculpture Advisory Panel on Wednesday 29 July 2020 which will draw up the brief for artists competing to be chosen to design a new sculpture celebrating the women of New Zealand's Parliament.

whose shoulders they stood on to get there. The artwork will celebrate these women, serve as a learning tool for locals and tourists alike and add balance to the two statues within Parliament grounds which both commemorate former male Prime Ministers.

The sculpture will also celebrate the bi-cultural nature of the campaign for women's representation in Parliament with prominent Māori women's rights activists being featured. It is hoped the work will be installed prior to the 130<sup>th</sup> anniversary of New Zealand becoming the first place in the world to give women the vote in 2023.

## CWP New Zealand support multi-Member Bill on FGM that is set to become law

The Commonwealth Women Parliamentarians (CWP) New Zealand Group have supported a multi-Member Bill in the New Zealand Parliament that will bring in new legislative reform for female genital mutilation (FGM).

The Crimes (Definition of Female Genital Mutilation) Amendment Bill completed its Third Reading, with support from all parties in the New Zealand Parliament, and is set to become New Zealand law. The Bill is in the names of Jo Hayes MP (National), Priyanka Radhakrishnan MP (Labour), Golriz Ghahraman MP (Greens), and Jenny Marcroft MP (New Zealand First). It is the first time in the history of the New Zealand Parliament that a Member's Bill has been sponsored by more than one MP.

While most forms of FGM were banned in New Zealand in 1996, through an amendment to the Crimes Act 1961 when s204A was added, this new amendment will align the legislation

with the World Health Organisation (WHO) classifications of all types of FGM and international best practice recommendations.

The Bill is part of the work of the Commonwealth Women Parliamentarians (CWP) New Zealand Group, who seek to better the lives of women and girls in New Zealand. CWP New Zealand has collaborated with FGM Education to highlight the need for this legislative reform.

CWP New Zealand Co-Chairs Louisa Wall MP and Jo Hayes MP are grateful to have this important legislation complete all of its stages through the House before the dissolution of the 52<sup>nd</sup> New Zealand Parliament and said: *"We are proud to have brought about this law to protect the lives of women and girls in Aotearoa (New Zealand). As women Parliamentarians, we have listened to their concerns and are honoured to have contributed substantive legislative change to protect our wahine."*

The Bill now awaits Royal Assent, before it becomes law.

# Parliamentary Report

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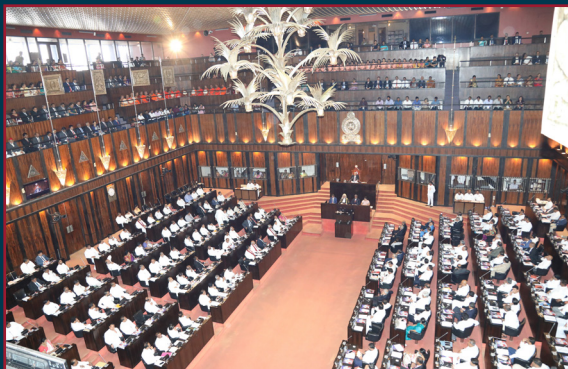
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With thanks to our *Parliamentary Report* and *Third Reading* contributors: Paras Ramoutar (Parliament of Trinidad and Tobago); Stephen Boyd (Federal Parliament of Australia); Dr Jayadev Sahu (Parliament of India); Gabrielle de Billy Brown (Federal Parliament of Canada); Luke Harris (Parliament of New Zealand); Ravindra Garimella (Parliament of India); and Michael Berry (Parliament of the United Kingdom).



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## PARLIAMENTARY REPORTS FROM INDIA PARLIAMENT

### Amendment in Medical Termination of Pregnancy Act

On 17 March 2020, the Lok Sabha passed the Medical Termination of Pregnancy (Amendment) Bill, 2020. The Bill sought to amend the *Medical Termination of Pregnancy Act, 1971* with a view to increase upper gestation limit for the termination of pregnancy, and also to strengthen access to comprehensive abortion care under strict conditions without compromising service and quality of safe abortion.

There is provision in the Bill providing for the opinion of one registered medical practitioner for the termination of a pregnancy up to 20 weeks of gestation; the requirement of the opinion of two registered medical practitioners for the termination of a pregnancy for 20 to 24 weeks of gestation; enhancing the upper gestation limit from 20 to 24 weeks for such category of women as may be prescribed by rules in this behalf; non-applicability of provisions relating to the length of pregnancy in cases where the termination of pregnancy is necessitated by the diagnosis of any substantial foetal abnormalities diagnosed by a Medical Board; and strengthening of the protection of privacy of a woman whose pregnancy has been terminated. No registered medical practitioner shall reveal the name and other particulars of a woman whose pregnancy has been terminated under this Bill except to a person authorised by any law for the time being in force.

In the Bill, a 'failure of contraceptive' clause has been expanded to a woman and her partner in place of 'married woman or her husband'. The

Medical Board shall consist of a gynaecologist, a paediatrician, a radiologist or sonologist and such other number of members as may be notified by the State Government or Union territory.

Moving the motion for consideration of the Bill, the Minister of Health and Family Welfare, Dr Harsh Vardhan said when the original Bill was brought in 1971, India was amongst the first few countries in the world to legalise abortion in order to provide legal and safe abortion services to women who required to terminate a pregnancy due to certain therapeutic or humanitarian grounds. The advancement in medical technology for safe abortions is also a reason for increasing upper gestational limit for terminating pregnancies. Besides, there are several writ petitions in Courts, seeking permissions for the abortion of pregnancies at a gestational age beyond the present permissible limit on the grounds of foetal abnormalities or pregnancies due to sexual violence forced on women. This is a very progressive legislation and is based on wide consultation with stakeholders. The Minister said the Bill will ensure dignity, autonomy, confidentiality and justice for women who need to terminate pregnancy.

Kumari S. Jothi Mani (INC) was of the view that the *Medical Termination of Pregnancy Act, 1971* even though it legalised abortion with a gestation period of 12 to 20 weeks, it failed to keep pace with the current social, medical and technological developments. She was happy that the Bill seeks to extend the pregnancy termination time period from 20 weeks in the principal Act to 24 weeks and enhance the gestation limit for 'special categories' of women. She wanted abortion to be allowed at the request of the woman rather than by approval of the medical practitioner or medical board. She wanted the Government to ensure that all norms and standardised protocols in clinical practice to facilitate abortions are followed in health care institutions across the country.

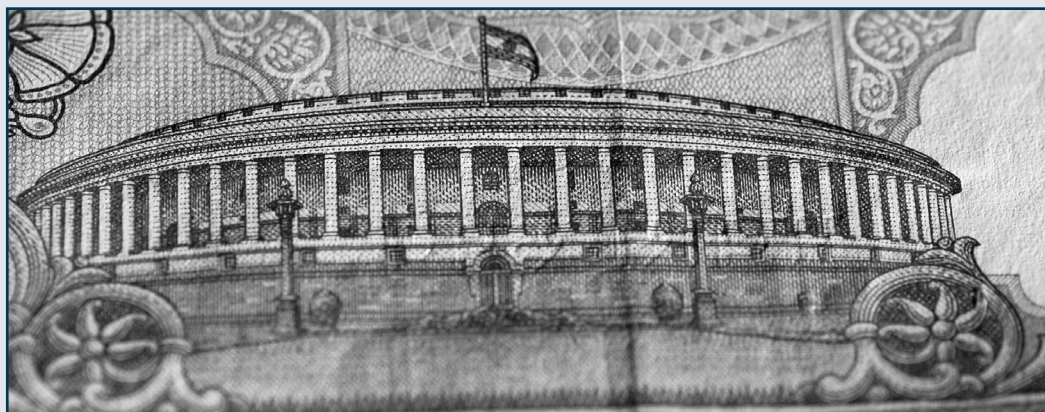
Smt Sangeeta Kumari Singh Deo (BJP) said the Bill assumes greater significance as India aims to bring down the maternal mortality ratio from the current level of 122 to 70 per 100,000 live births by 2030. She said aborting a 24-week foetus is a huge responsibility and adequate arrangements should be made to handle it. The Bill is really progressive as it will help a lot of young women to deal with unwanted

pregnancies lawfully and in a safe environment.

Dr Gautham Sigamani Pon (DMK) said enhancing the pregnancy termination period from 20 to 24 weeks in eligible cases will help with cases of congenital anomaly, lunatic pregnancy, cases of rape, unwed, widow pregnancies and curtail illegal terminations carried out by 'quacks' and the consequent loss of precious lives. She suggested constituting an all-women board to rule on eligibility.

Dr Kakoli Ghosh Dastidar (AITC) believed safe abortion is essential to reduce maternal death. Fast Track Courts must be set up particularly in cases where young girls have been raped and exposed to violence, etc. Ultrasounds should be made mandatory for all pregnant women as it can detect major anomalies as early as 14 to 16 weeks. She suggested having two specialist gynaecologists for their opinion instead of two registered medical practitioners, where abortion is taken up to 24 weeks.

Kumari Goddeti Madhavi (YSR Congress) supporting the Bill requested the Minister to ensure that all norms and standardised protocols in clinical practices are followed throughout the country and to see that there is no proliferation



of sex determination centres and female infanticide.

**Shri Chandeshwar Prasad (JD-U)** said there is provision for stringent punishment for sex determination test and for the protection of the privacy of a woman by not revealing the name of a woman whose pregnancy has been terminated. Describing the Bill as a step towards the safety and welfare of women, he requested that compensation be provided to the family members of the pregnant woman in the event of any death due to abortion.

**Dr Amol Ramsing Kolhe (NCP)** congratulating the government on getting several things right in the amendment Bill, 2020, recommended the inclusion of a psychiatrist in the Medical Board to take care of the psychological trauma of the female and to increase the number of healthcare providers at the lower level of the delivery system.

**Shri Ritesh Pandey (BSP)** welcomed the Bill and said criminalising abortion is an infringement of a woman's reproductive rights and abortion needs to be decriminalised and access to safe abortions under the norms should be made available. He believed criminalisation stigmatises abortions and forces women to seek unsafe abortions which are often carried out at unregistered facilities by unqualified practitioners.

**Dr Rajashree Mallick (BJD)** said extending the gestation period beyond 20 weeks will lead to better detection and subsequent abortion of abnormal foetus.

**Shri Feroze Varun Gandhi (BJP)** thanked the Health Minister for laying emphasis on working with the National Health System's Resource

Centre to develop modern training packages for the Accredited Social Health Activists (ASHA), to enable them to provide the required information to women at the community level.

**Adv Dean Kuriakose (INC)** was of the view that permitting to abort a life still in the womb amounts to violation of the Constitution.

**Dr Shrikant Eknath Shind (Shiv Sena)** said the proposed changes would give much needed relief to rural women as they do not have access to safe abortions and also to victims of rape as they resort to unsafe abortion practices to maintain secrecy.

**Shri Kotha Prabhakar (TRS)** said the proposed Medical Termination of Pregnancy (Amendment) Bill is the need of the hour and it is a welcome measure. Steps may be taken to ensure dignity, autonomy and confidentiality of women who need to terminate pregnancy with the access of safe and legal abortion services and comprehensive abortion care. As a precautionary measure, the opinion of at least two doctors for the termination of pregnancy up to 20 weeks may be considered. Proper awareness may be created about this Bill and its implementation in society through television, newspapers and other means of media.

**Shri P. Raveendranath Kumar (AIKDMK)** requested that the Minister to take the necessary action to increase the number of gynecologists, paediatricians and radiologists, especially in community health centres, besides increasing the number of seats in medical colleges to meet the shortfall of doctors.

**Smt. Jaskaur Meena (BJP)** supported the Amendment Bill as it would help keep check of the number of women dying

due to unsafe abortions in the country. It will ensure the privacy, dignity, autonomy and confidentiality of women who need to terminate a pregnancy.

**Dr Kalanidhi Veeraswamy (DMK)** lauded the government for bringing progressive and revolutionary amendments in this Bill. He was concerned about the safety of Doctors who provide this care and who are duty bound to report sexual abuse of children under the *Protection of Children from Sexual Offences (POCSO) Act, 2012*.

**Shri Nihal Chand Chouhan (BJP)** requested the government improve the quality of drinking water as chemical and pesticide laden drinking water also affects the health of mother and the child.

**Dr Thol Thirumaa Valavan (VCK)** urged for further simplifying the procedures followed for the medical termination of a pregnancy. **Shri Ravi Kishan (BJP)** termed the Bill as a milestone in regard to empowerment of women.

The Minister, **Dr Harsh Vardhan** in his reply made it clear that only in cases where women become pregnant due to certain unfortunate circumstances or their child is likely to remain handicapped for the life, the term has been extended from 20 weeks to 24 weeks. He assured that sufficient checks and balances have been put in place even for such cases. In order to ensure the safety of these late term abortions, a group of experts is needed to give an opinion on the procedure and safety of procedures on a case to case basis. Medical boards are, therefore, necessary for late term abortions. Although, the decision of termination of a pregnancy should be with the women only, the safety and wellbeing of women has been

taken into account along with the rights of women.

### Guidelines for Committee Meetings in view of COVID-19

The nationwide lockdown on 24 March 2020 to fight the pandemic COVID-19 interrupted the holding of Parliamentary Committee meetings. Committees were not able to meet till the first week of July 2020. There was demand from some law-makers for holding virtual Committee meetings. But as there is no such provision in the rules, meetings of Committees could not take place.

With further relaxation made in lockdown provisions with effect from 1 July 2020, Parliamentary Committees have started meeting while observing certain measures. The number of officials from the Ministry and Department of Government of India appearing for evidence is restricted to six. Audio recordings of the proceedings are made available to the Verbatim Reporting Service Branch for transcription and the officers of this Service are not physically present inside the Committee rooms. Seating arrangement in the Committee Room is made strictly according to the norm of social distancing of six feet. No printed material is used for the purpose of meetings and all documents for Members are now sent in soft form. The Government Departments appearing for evidence have been advised not to bring any material or bags for Members. The Committee Branches are also restricting the number of their officials and supporting staff in Committee rooms.

### The Arms (Amendment) Bill 2019

*The Arms Act, 1959* was enacted to consolidate and amend the law relating to arms and ammunition. The Arms Act, hereinafter referred to as *Parent Act, 1959* and rules made thereunder regulate the acquisition, possession, use, manufacture, transfer, sale, transport, export and import of arms and ammunition, and punishment for contravention of the provisions of the act, in order to curb illegal weapons and violence stemming from them.

The law enforcement agencies indicate growing nexus between possession of illegal firearms and commission of criminal offences. With the advancement in technology the fire power and sophistication of illegal firearms had increased significance over the years. The trans-border dimensions of illegal arms trafficking are causing threat to internal security and to prevent the usage of illicit firearms so trafficked had also become a prime concern. To effectively curb crimes related to or committed by using illegal firearms and to provide effective deterrence against the violation of law, there had been an urgent need to strengthen the existing legislative framework by making appropriate amendments in the *Arms Act, 1959*. Simultaneously, there was also a requirement for rationalising and facilitating the licensing procedures for use of firearms by individuals and sports persons.

With a view to implement the aforementioned measures, the Government brought forward the amending Legislation viz the Arms (Amendment) Bill, 2019.

#### Key features of the Legislation

In the Parent in Section 2 (Definition) a new Section (ea) has been proposed to be *inserted* providing that 'licence' means a licence issued in accordance with the provisions of this Act and rules made thereunder and includes a licence issued in the electronic form.

Section 3 of the Parent Act contains provisions regarding licence for acquisition and possession of firearms and ammunitions. As per Section 3 hitherto before a person was allowed to, subject to requisite permission, possess three firearms, *this has been proposed to be reduced to two*.

In Section 3 itself, for the existing proviso amplified proviso has been proposed to be inserted as per the amended proviso a person who has in his possession more firearms

than two at the commencement of the *Arms (Amendment) Act, 2019*, may retain with him any two of such firearms and shall deposit, within one year from such commencement, the remaining firearm(s) with the officer in charge of the nearest police station or, subject to the conditions prescribed, with a licensed dealer or, where such person is a member of the armed forces of the Union, in a unit armoury referred to in that sub-section after which it shall be de-licensed within ninety days from the date of expiry of aforesaid one year.

Further that stipulation being while granting arms licence on inheritance or heirloom basis, the limit of two firearms should not be exceeded.

#### Debate:

There have been extensive debates on this Amending Bill by Members in both Houses of Parliament. The key points during deliberations of this amending legislation was:

- The local arms bearing culture of the country keeps the fighting tradition alive in India and continues to motivate youth of the country to lay their lives in the line of fire. A negative consequence of disarming the populace by law was inter-alia making of illegal country arms and smuggling of firearms. It has been this factor that has been a major source of crime and not legal, licensed firearms. The licensing fire regime prescribes to ensure that individuals get a license for their self-protection, for crop protection for purposes of sports and for purposes of arms that have been inherited.
- The state has over the years granted licences and also issued licences for firearms for crop protection to farmers as provided in the Arms Act. However, an unintended consequence could be when they are limited to one firearm, how can they possibly legitimately protect their farmlands?
- Hence there is need for serious consideration of both the unintended and intended consequences of the proposed amending legislation.
- The illicit proliferation of firearms and misuse of them is a great malaise in present times. The circumstances are increasing the organised crimes by using illicit weapons; a growing number

of licences for arms, which need more regulation.

- At times, crime is committed also on the basis of antagonism, clash of principles etc. This aspect also needs to be looked into.
- There is a need for guidelines in regard to the granting of arms licences.

The Minister in charge of the Bill in his elaborate reply at the outset dwelt upon the historical background. The Minister assured the House that the grant of licences to sports persons, officers/personnel of the armed forces, serving as well as retired, will not be impacted. The thrust is upon curbing the manufacture, smuggling and use of illegal weapons by anti-social, national, divisive organizations and terror groups.

The Minister assuaged fears of misuse of licensed arms and concluded his speech by re-emphasizing the bona fide concerns for which the amending legislation was brought forward.

The Amending Bill was passed by Lok Sabha on 9 December 2019 and by Rajya Sabha on 10 December 2019. The Bill as passed by both Houses of Parliament was assented to by the President of India on 13 December 2019.

### The Citizenship (Amendment) Bill, 2019

The *Citizenship Act, 1955* hereinafter referred to as the Parent Act, was enacted to provide for the acquisition and determination of Indian citizenship.

The historical background of this law emerged from the trans-border migration of the population that had been happening continuously between the territories of India and the areas presently comprised in Pakistan, Afghanistan and Bangladesh. Millions of citizens of undivided India belonging to various faiths were staying in the said areas of Pakistan and Bangladesh when India was partitioned in 1947. The Constitutions of Pakistan, Afghanistan and Bangladesh provide a specific state religion. As a result, many persons belonging to Hindu, Sikh, Buddhist, Jain, Parsi and Christian communities had faced persecution on the grounds of religion in those countries. Some of them also have fears about such persecution in their day-to-day life, where the right to practice, profess and propagate their

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religion has been obstructed and restricted. Many such persons had fled to India to seek shelter and continue to stay in India even if their travel documents had expired or they had incomplete or no documents.

Under the existing provisions of the Act, migrants from Hindu, Singh, Buddhist, Jain, Parsi or Christian communities from Afghanistan, Pakistan or Bangladesh who entered into India without valid travel documents or if the validity of their documents has expired are regarded as illegal migrants and ineligible to apply for Indian Citizenship under Section 5 or Section 6 of the Act.

The Central Government exempted the said migrants from the adverse penal consequences of the *Passport (Entry into India) Act, 1920* and the *Foreigners Act, 1946* and rules or orders made thereunder vide notifications, dated 7 September 2015 and 18 July 2016. Subsequently, the Central Government also made them eligible for long term visas to stay in India, vide, orders dated 8 January 2016 and 14 September 2016. Now, it is proposed to make the said migrants eligible for Indian citizenship.

A considered view was taken that the illegal migrants who had entered into India up to the cut-off date of 31 December 2014, need a special regime to govern their citizenship matters. For this purpose, the Central Government or an authority specified by it, shall grant the certificate of registration or certificate of naturalisation, subject to such conditions, restrictions and manner as may be prescribed. Since many of them have entered into India long back, they may be given the citizenship of India from the date of their entry into India, if they fulfil conditions for Indian citizenship specified in section 5 or the qualifications for the naturalisation under the provisions of the Third Schedule to the Act.

Many persons of Indian origin including persons belonging to the said minority communities from the aforesaid countries have been applying for citizenship under Section 5 of the *Citizenship Act, 1955* but they are unable to produce proof of their Indian origin. Hence, they are forced to apply for citizenship by naturalisation under section 6 of the said Act, which, *inter alia*, prescribe twelve years residency as a qualification for naturalisation in terms of the Third Schedule to the Act. This denies them many opportunities and advantages that may accrue only to the citizens of India, even though they are likely to stay in India permanently.

Further there was no specific provision in Section 7D of the parent Act to cancel the registration of Overseas Citizen of India Cardholders who violated any provisions of the parent Act or any other law for the time being in force.

The Government accordingly brought forward the Amending Bill to address the aforementioned issues and to protect the constitutional guarantee given to the indigenous populations of North Eastern States covered under the Sixth Schedule to the Constitution and the statutory protection given to areas covered under 'The Inner Line' system of the Bengal Eastern Frontier Regulation, 1873.

#### Key provisions:

- Section 2 of the Parent Act gives interpretation to various terms used in the Act vis-a-vis citizenship lists. A proviso has been proposed to be inserted after Section 2 (1)(b) (regarding illegal immigrant) to the effect that any person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan who entered into India on or before 31 December 2014 and who had been exempted by the Central Government by or under relevant provisions of the *Passport (Entry into India) Act, 1920* or from the application of the provisions of the *Foreigners Act, 1946* or any rule or order made thereunder would not be treated as illegal migrant for the purposes of the Act.
- New Section 6B has been proposed to be inserted providing for special provisions as to citizenship of person covered by proviso to clause (b) of sub-section (1) of section 2 (which defines who are deemed to be illegal immigrants). Towards this end in the Amending legislation it has been proposed that:
  1. The Central Government or a specified authority, subject to prescribed stipulations, have been empowered on an application being made, grant a certificate of registration or certificate of naturalisation to a person referred to Section 2 (1) (b) of Parent Act.
  2. It has been sought to grant immunity to the migrants of the Hindu, Sikh, Buddhist, Jain, Parsi and Christian communities so that any proceedings against them regarding in respect of their status of migration or citizenship does not bar

them from applying for Indian Citizenship.

3. It has also been provided that the competent authority, to be prescribed under the Act, shall not take into account any proceedings initiated against such persons regarding their status as illegal migrant or their citizenship matter while considering their application under section 5 or section 6 of the Act, if they fulfil all the conditions for grant of citizenship.
- Third Schedule to the Parent Act provides for qualifications for a person for naturalisation. It has been proposed to amend the Third Schedule to the Act to make applicants belonging to the said communities from the aforesaid countries eligible for citizenship by naturalisation if they can establish their residency in India for five years instead of the existing eleven years.
- Section 7D of the Parent Act contains provisions in regard to cancellation of registration as overseas citizens of India.
- Presently, there is no specific provision in section 7D of the Act to cancel the registration of Overseas Citizen of India Cardholders who violate any provisions of the Act or any other law for the time being in force. It had therefore, been proposed to amend the said section 7D so as to empower the Central Government to cancel the registration as an Overseas Citizen of India Cardholder in case of violation of any provisions of the Act or any other law for the time being in force.
- Further also as there is no specific provision in the Act at present to provide an opportunity of being heard to be an Overseas Citizen of India Cardholder before cancellation of the Overseas Citizen of India Card under section 7D had been proposed to provide the opportunity of being heard to the Overseas Citizen of India Cardholder before the cancellation of the Overseas Citizen of India Card.
- Sixth Schedule to the Constitution of India contains provisions as to the Administration of Tribal Areas in the States of Assam, Meghalaya, Mizoram and Tripura that no provision of newly proposed Section 6 B would apply to the aforementioned states and the area covered under 'The Inner Line' notified under the Bengal Eastern Frontier Regulation, 1873.

*Debate*

There had been a detailed and structured debate on the Bill in both Houses of Parliament to which the Minister in charge of the Bill gave a comprehensive reply covering the entire gamut of issues raised and involved, the matters sought to be addressed. The Amending Bill was passed by Lok Sabha on 10 December 2019 and by Rajya Sabha on 11 December 2019. The Bill as passed by both Houses of Parliament was assented to by the President of India on 12 December 2019.

**The International Financial Services Centres Authority Bill, 2019**

Section 18 of the Special Economic Zones Act, 2005 provides that the Central Government may approve the setting up of an International Financial Services Centre in a Special Economic Zone and may prescribe the requirements for setting up and operation of such a Centre.

The first International Financial Services Centre in India has been set up at GIFT City in Gandhinagar, Gujarat. An International Financial Services Centre enables bringing back the financial services and transactions that are currently carried out in offshore financial centres by Indian corporate entities and overseas branches and subsidiaries of financial institutions to India, by offering world class business and regulatory environment. It would enable Indian corporations to have easier access to global financial markets.

As at present, the banking, capital markets and insurance sectors in International Financial Services Centres are regulated by multiple regulators such as the Reserve Bank of India, the Securities and Exchange Board of India and the Insurance Regulatory and Development Authority of India. These regulators had issued various regulations and guidelines under respective Acts for regulation of banking, capital markets and insurance business in International Financial Services Centres.

The development of financial products and services in International Financial Services Centres require focused and dedicated regulatory interventions and require a high level inter-regulatory coordination. The Government, therefore, decided to establish a unified financial regulator to provide world class regulatory environment to such financial market participants and promote ease of doing business.

Towards this end the Government brought forward the International Financial Services Centres Authority Bill, 2019.

*Key features of the Bill:*

- Provision has been made for the establishment of the International Financial Services Centres Authority (the Authority) to develop and regulate the financial services market in the International Financial Services Centres in India.
- It has been stipulated that the powers and functions of the financial sector regulators under the respective Acts shall be exercised and performed by the Authority in so far as they related to the regulation of financial products, financial services and financial institutions in the International Financial Services Centres.
- Further provided that every transaction of financial services in the International Financial Services Centres shall be in such foreign currency as may be specified by the Authority in consultation with the Central Government.
- Provision has been made for the constitution of a performance Review Committee consisting of at least two members of the Authority for review of the functioning of Authority on an annual basis;
- Provision has also been made for the amendment of certain enactments which are considered necessary for the purposes of the proposed legislation.

*Debate:*

The Bill was debated at length in both Houses of Parliament. The Minister-in-charge while piloting the Bill, at the outset stated that around 2008, a Committee appointed by the Ministry of Finance had gone through the entire issue of Financial Services and even at that time (in 2008) it was felt that by 2015 up to US\$50 billion dollars would be spent on International Finance Services by Indian companies and that amount would obviously be going outside of the country because India did not have an International Financial Service Centre.

In 2011, section 8 in the Special Economic Zone (SEZ) Act set a distinct provision for establishing a Financial Services Centre. In 2015, it was made completely operationalised because various regulators who deal with various Financial institutions such as the RBI, the SEBI, etc. started issuing their notifications to regulate those institutions. The Minister stated

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that through the Bill, the Government sought to bring several of the regulators together as one unit to the limited extent of having to deal with the various institutions, which are present in the International Financial Centre. The Bill in its spirit was foreseen or intended to be brought forward for a long time.

Elaborating the Minister stated that a need for unified authority to deal with a particular specialised Financial Services hub, was strongly felt. A financial hub would provide the opportunity for Indian companies to be able to access International markets and deal with international markets through this centre.

During deliberations on the Bill in Parliament, the following points inter alia emerged:

- The Bill was a laudable initiative.
- There is a need for the Government to focus on the demand side too. Further, in addition to liberal markets, there is a need for liberal cities too.
- There is need to attract global talent.
- While it is a noble idea to regulate the regulators, there is also a need for transparency.
- The Bill was termed as a 'game changer'. The World Bank had acknowledged India to be a bright spot among developing and emerging economies and on its liberalisation, it can achieve more. There indeed is a need to develop an International Financial Services Centre for the expansion of global economy and strategic influence.
- Setting up a new authority will do away with all the regulators. It would help in sustaining the local economy and it would also be able to do fund raising services, asset management, wealth management, global tax management, global and regional corporation treasury management, risk management operations, and merger and acquisition activities.

At the end, the Minister clarified points/queries raised during the debate. The Bill was passed by Lok Sabha on 11 December 2019 and by Rajya Sabha on 12 December 2019. The Bill as passed by both Houses of Parliament was assented to by the President of India on 19 December 2019.

# CANADIAN PARLIAMENT'S CONTINUED RESPONSE TO THE COVID-19 PANDEMIC

## Parliamentary Sitings

Responding to the COVID-19 pandemic has remained the focus of the work of the Parliament of Canada over the last months. Since May 2020, both the Senate of Canada and the House of Commons have been recalled twice by their respective Speaker for extraordinary sittings in order to debate government Bills related to the response to the pandemic.

Following an additional extension of its adjournment period, the Senate of Canada resumed its regular sittings on 16 June 2020 for the first time since 13 March 2020 with approximately 30 Senators present in person. No virtual or hybrid system is in use in the Senate's proceedings. Pending another recall from the Speaker, the Senate stands adjourned until the autumn session.

As indicated in the previous issue of *The Parliamentarian*, in the House of Commons, a motion adopted on 20 April 2020 set up the new parameters under which MPs would meet in a special Committee chaired by the Speaker. A new motion adopted on 26 May 2020 set up the schedule for the summer: five sittings between 17 June and 26 August 2020, after which the House will stand adjourned until 21 September 2020. These meetings are hybrid: a small number of MPs can attend in person, while others are welcome to participate virtually. At this time, only Members who are present in person are able to vote.

## Parliamentary Committees

The Standing Senate Committee on National Finance and the Standing Senate Committee on Social Affairs, Science and Technology both released interim reports related to their study of the federal government's response to the pandemic. National Finance called for Parliament to regain its power to analyze and approve government spending, as emergency measures have granted the government exceptional power and exemption from parliamentary scrutiny. For its part, Social Affairs, Science and Technology highlighted the fact that seniors and front-line healthcare workers are particularly vulnerable to the pandemic.

The House of Commons Standing Committee on Procedure and House Affairs has released two reports on how Parliament could react to the pandemic. In the first, it made a series of recommendations regarding the way Parliamentarians could continue to play their role while considering sanitary, judicial, procedural, technological and practical concerns raised by witnesses. It also identified an increased risk of injuries for parliamentary interpreters because of the move to virtual meetings due to poor audio quality and inadequate equipment.

The second report makes recommendations regarding the creation of an online voting system in order to permit full participation of all Members, whether in person or remotely. These temporary measures should be fully tested and

approved by all recognised parties before implementation.

## Changes in Party Leadership

Two in-person candidates' debates in the leadership race for the Conservative Party of Canada were organised between the four candidates: Leslyn Lewis, Hon. Peter MacKay, Erin O'Toole, MP and Derek Sloan, MP. Held in person, the first debate was in French and the second in English. In addition, two virtual debates have been organised so far.

As of 17 July 2020, nine candidates are in the race to find a successor to Elizabeth May, MP as leader of the Green Party of Canada. At this time, three candidates' debates have occurred. The next leader will be chosen via an online ballot with a mail-in option for those unable to vote online. The winner will be announced on 3 October 2020 during the Green Party's national convention in Charlottetown, Prince Edward Island.

## Changes in the Senate

On 8 May 2020, Hon. Patricia Bovey announced that she was leaving the Independent Senators Group (ISG) to join the Progressive Senate Group (PSG). Hon. Peter Harder, the former Government Representative in the Senate who stood as non-affiliated, joined the PSG on 14 May. Hon. Pierre Dalphond also changed affiliations from ISG to PSG on 21 May. With these new members, the PSG reached the minimum number required to be a recognised group in the Senate. On 8 July, Hon. Wanda Thomas Bernard also joined the PSG.

Leadership responsibilities in the PSG have been assigned as follows: Hon. Jane Cordy has been appointed Leader and Hon. Dennis Dawson is Deputy Leader of the PSG. Hon. Patricia Bovey has been named Liaison of the PSG and Hon. Terry Mercer has been appointed Caucus Chair.

As of 17 July 2020, the standings in the Senate were: Independent Senators Group





47, Conservative Party 21, Canadian Senators Group 13, Progressive Senate Group 10, non-affiliated 5 and vacant 9.

### Legislation

Five Bills related to the COVID-19 response have received Royal Assent. They created three new support programmes: the *Canada Emergency Wage Subsidy*, the *Canada Emergency Response Benefit* and the *Canada Emergency Student Benefit*. The Bills also introduced changes to new and existing acts to address “the need for flexibility in relation to certain time limits and other periods” which have been affected by COVID-19.

On 22 July 2020, a Federal Court decision ruled that the *Safe Third Country Agreement* was unconstitutional and gave the Parliament of Canada six months to respond. The agreement requires asylum seekers who attempt to enter Canada via the United States of America to first seek asylum in that country.

### Ethics

On 25 June 2020, the federal government announced a new programme, the *Canada Student Service Grant*, which would encourage students to volunteer in their communities and receive a one-time payment for their effort. This programme would be administered by WE Charity, an international organisation focusing on youth empowerment and development. Following revelations that the charity had multiple ties to persons associated with the Liberal Party of Canada and their family, the contract was rescinded.

The House of Commons Standing Committee on Finance and the Standing Committee on Access to Information, Privacy and Ethics have held meetings to study the situation. In addition, the Conflict of Interest and Ethics Commissioner, Mario Dion, has confirmed that he is also investigating the alleged

contraventions of the *Conflict of Interest Act*.

### Addressing Systemic Discrimination

On 16 June 2020, the Parliamentary Black Caucus, composed of Black Parliamentarians and allies, released calls for action to address systemic racism. The proposals are aimed at all levels of government in areas such as data collection, justice and public safety reforms and arts and culture.

On 23 June 2020, as a result of a request from four of its Members, the House of Commons Standing Committee on Public Safety and National Security undertook a new study on ‘systemic racism in policing in Canada’.

### Leaders’ Debates Commission

The Leaders’ Debates Commission, created in the lead-up to the 2019 federal election, published a report on its work during that period. Its principal recommendation is to establish a “permanent,

publicly-funded entity to organize leaders’ debates.”

It also recommends that the Commissioner be appointed after consultation with the registered political parties in the House of Commons.

### Nominations

On 31 March 2020, Hon. Ralph Goodale, former MP, was named as special advisor for the response to the Ukrainian International Airlines tragedy of 6 January 2020, which resulted in the death of 55 Canadian citizens and 30 permanent residents.

On 6 July 2020, Hon. Bob Rae, former MP, was named as the new Canadian ambassador to the United Nations.

On 8 June 2020, Karen Hogan began her role as the new Auditor General of Canada. She is the second woman to be named Auditor General since the creation of the position. She replaced Sylvain Ricard, who had been Interim Auditor General since March 2019.

## DURING COVID-19 SCRUTINY OF AUSTRALIAN EXECUTIVE GOVERNMENT CONTINUES IN PARLIAMENT

In March 2020, at the height of the COVID-19 outbreak, lockdown provisions and social distancing were implemented. The sitting pattern of the Australian Federal Parliament was also affected with Parliament not scheduled to meet until August. Fortunately, this was revised, and the Parliament sat for a total of three weeks during May and June 2020. This ensured that the government could introduce essential legislation relating to the COVID-19 response. At the same time, the additional sittings also provided for the Parliament to scrutinise and hold the Executive to account. In addition, this important function was also performed by the Senate Select Committee on COVID-19.

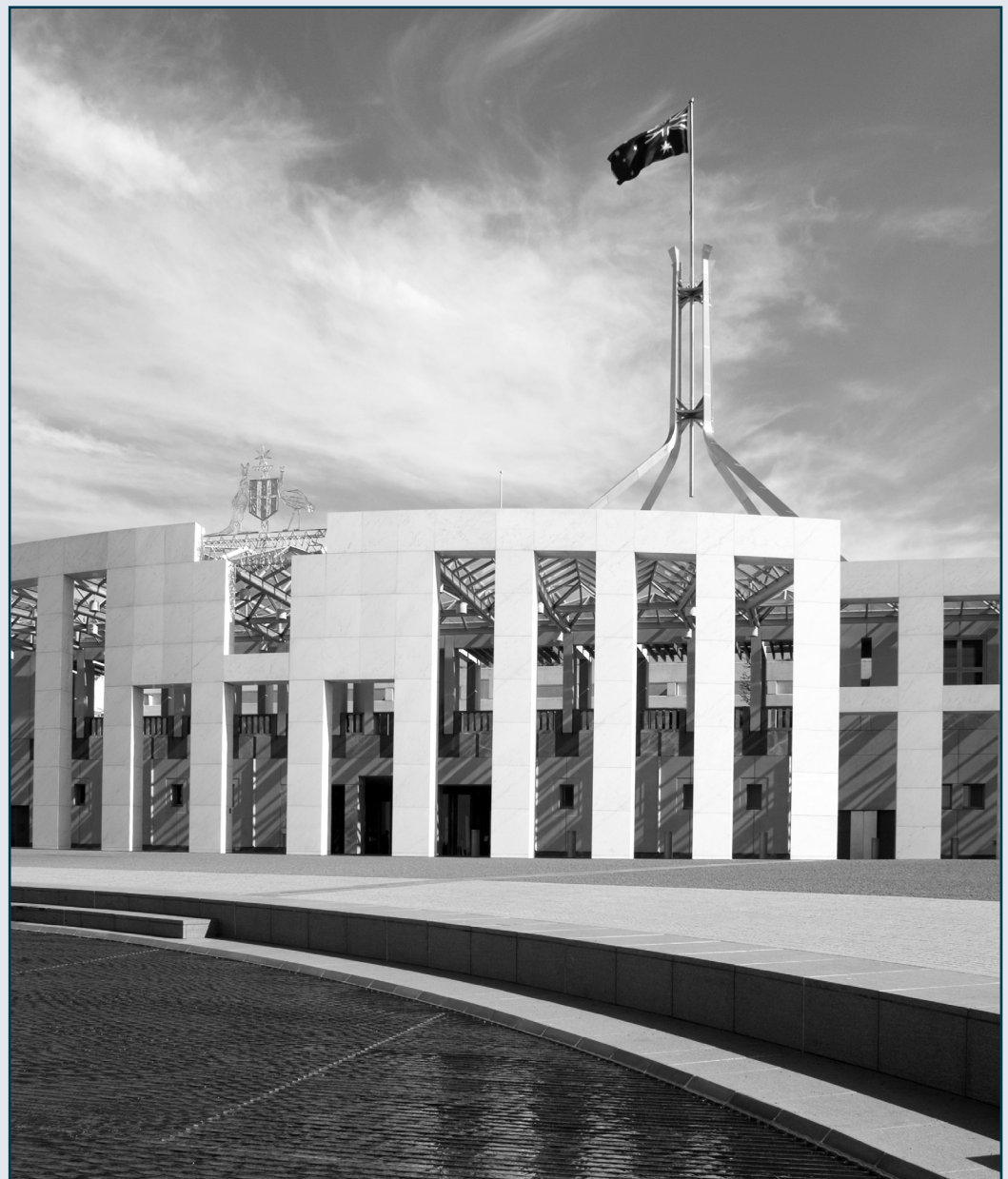
The purpose of the Senate COVID-19 Committee is to scrutinise the Executive while it delivers some of the largest emergency programs in Australia's history. The Senate is non-government controlled and was able to establish the Committee and, in particular, ensure that an Opposition Senator, would be the Chair. Subsequently, Senator Hon. Katy Gallagher (Labor), was elected as Chair of the Committee.

Senate Committees have an effective record in scrutinising the Executive. This point was made in the House of Representatives by the Leader of Opposition Business, Hon. Tony Burke, MP, who stated that *'I should also point out that while the Parliament should be meeting, it is also the case that, in the absence of the Parliament, and even if the Parliament were meeting, oversight during this period is really important. There will*

*be a Senate inquiry with a Committee established to be able to perform a whole lot of that oversight. This Parliament has seen for a long time that, while there are Joint Committees and Reps Committees, the truth is the Committee system that has been the most thorough in supervising the work of government has been Senate Select Committees; that is simply a given. A reason for that, in part, is that the Chairs*

*are not from the government and that does make a difference in the role that they play. That's the reason why we have sought for there to be a Senate Select Committee, rather than there being a House of Representatives Committee or a Joint Committee. I put that down because I appreciate that some Members of the crossbench have raised both with me personally and with the Leader of the House - that they wanted*

*a House of Representatives inquiry or a Joint Committee to be the way forward. Our view has been that history has shown that a Senate Select Committee is the strongest way to provide oversight, in the absence of the House and Senate sitting themselves.'*  
At the first hearing of the Committee, Senator Gallagher stated that *'the economic impact of the health response has been devastating for millions of Australians*



and is still unfolding. The government's and Reserve Bank's economic response to the pandemic and its effects has to date totalled more than AUS\$300 billion. It is against this background that the Committee will begin its work.'

Senator Gallagher explained the role of the Committee commenting that the 'Committee is a key vehicle to provide accountability, transparency and scrutiny of the Australian government's response to the pandemic for the Australian people. Over the next 18 months, we will work tirelessly to shine a light on every aspect of the national response. This is not your typical Senate Committee. We will demand a lot of witnesses in terms of a cooperative approach that is based on working together in the national interest to ensure all aspects of our response are the best they can be. Political grandstanding will be kept to a minimum; major political points can be made by Members in other places. Public hearings will be held virtually, with Senators and witnesses joining in by video link or telephone. We will be conducting our work with the assistance of various technologies. We are hopeful that this will be seamless, but there may be teething problems, so apologies for that upfront if we do encounter those.'

### **Labor Opposition holds key marginal seat at by-election**

On 4 July 2020, a by-election was held for the Federal marginal seat of Eden-Monaro in New South Wales. The by-election was caused by the resignation of Labor member, Hon. Dr Mike Kelly, AM, who resigned for health reasons. Dr Kelly held the seat at the last election by 0.9%. Normally in a by-election, governments can



expect a swing against them of about 3% on average.

However, in the lead up to the by-election pressure was placed on the Leader of the Opposition, Hon. Anthony Albanese, MP, in the rare event that the government might win. The last time an Opposition has lost a by-election was in 1920. A loss could have cast some doubts on Mr Albanese's grip on his leadership. However, this was not to be. The Labor candidate, Ms Kristy McBain, in a packed field of 14 candidates, retained the seat for Labor with a slight swing against her. Labor claimed it was an 'against the odds' victory while the Liberals claimed it was devastating for Labor because they failed to achieve an average 3% swing towards them.

Mr Albanese stated that 'in Kristy McBain, we had an extraordinary advocate for the people of Eden-Monaro. For

all those people who voted for Kristy McBain, she will make them proud. For those who didn't, when they see her in operation, they will think about and consider giving her a vote at the general election.' Ms McBain commented that 'I'm pleased and honoured to be elected the next Member for Eden-Monaro – thank you.'

On 9 July 2020, the Liberal candidate, Dr Fiona Kotvojs conceded defeat and congratulated Ms McBain on her victory. Dr Kotvojs commented that 'with only 1,000 to 2,000 votes still to count, the result for Eden-Monaro is now clear. I have spoken with Kristy McBain and congratulated her on being elected as the Member for Eden-Monaro. I wish Kristy and her family all the best as she takes on this new role. 2020 has been a horrific year for all

of us. Together we have been attacked by and fought fires, many of us faced floods, and we are still struggling through drought. Now we are dealing with the COVID-19 pandemic. It is a year in which none of us wanted an election; we all have more important things to focus on than politics. As always, there is one thing we must all focus on – and that is each other. The next few years will be tough for all of us. To get through, we must love, care for and respect each other. We must support each other regardless of difference. If we do this, our communities will grow, and we will come out of this stronger. While not elected, for me, it was a privilege to stand as the Liberal candidate for Eden-Monaro; to seek the opportunity to represent, and work for, the people of our community.'



### Privacy Amendment (Public Health Contact Information) Act 2020

On 26 April 2020, the Australian Government launched the voluntary Coronavirus app, *COVIDSafe*. People can download the app to their mobile phones which will then operate in the background. As a person comes into contact with another person with the app, the phones connect via bluetooth and the apps record the interaction. If one person is later diagnosed with the Coronavirus, the people they came into contact with via the app can be advised by health officials that they should be tested.

The Minister for Government Services, **Hon. Stuart Robert, MP**, explained that when two users with the app come into contact with one another ‘it then securely makes a ‘digital handshake’, which notes the date and time, distance and duration of the contact. All information collected by the app is securely encrypted and stored in the app on the user’s phone. No-one, not even the user, can access it. Unless and until a person is diagnosed with COVID-19, no contact information

collected in the app is disclosed or able to be accessed. Then, once the person agrees and uploads the data, only the relevant state or territory public health officials will have access to information. The only information they are allowed to access is that of close contacts – when a person has come within approximately 1.5 metres of another app user for 15 minutes or more – in their jurisdiction.’

The Minister for Health, **Hon. Greg Hunt, MP**, sought to reassure Australians that the *COVIDSafe* app will only be used for contact tracing in relation to the coronavirus. Mr Hunt stated that ‘once the Coronavirus pandemic is over, and Australia no longer needs the app, the app and the information on it will be deleted permanently. No virus, no app.’

On 12 May 2020, the Australian Government introduced the Privacy Amendment (Public Health Contact Information) Bill 2020 to provide additional privacy protections for users of and data collected by the *COVIDSafe* app. The Attorney-General, **Hon. Christian Porter, MP**, stated that ‘at release, *COVIDSafe* was supported by interim privacy protections

contained in the Minister for Health’s determination under the Biosecurity Act 2015. Building on this, the purpose of this Bill is to enshrine the privacy protections in the determination into primary legislation by inserting a new part into the Privacy Act 1988, give the Australian Information Commissioner oversight of *COVIDSafe* app data and introduce additional provisions that clarify protections in the determination.’

Mr Porter noted that before the *COVIDSafe* app was launched the Minister for Health, made a determination under the Biosecurity Act to provide for strong interim privacy protections. The determination included provisions that: ensure that data from *COVIDSafe* is only used to support state and territory health authorities’ contact-tracing efforts, and only to the extent required to do so; require that users must consent before data from their device can be uploaded to the National *COVIDSafe* Data Store; prevent data from *COVIDSafe* being retained outside of Australia, and protect against unauthorised disclosure outside of Australia, require

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all COVIDSafe data held in the National COVIDSafe Data Store to be deleted at the end of the COVID-19 pandemic; protect against decryption of COVIDSafe data stored on users' devices; provide that no-one can be forced to download or use COVIDSafe or upload their data to the National COVIDSafe Data Store; and finally, the determination created criminal offences for the breach of the above requirements, with a maximum penalty of five years imprisonment.

The *Privacy Amendment (Public Health Contact Information) Act 2020* enshrines the COVIDSafe privacy protections in the determination in primary legislation.

**Senator Murray Watt** (Labor) confirmed that the opposition supported the contact tracing app but noted that the government had not achieved its uptake targets for the app. Senator Watt stated that *'the Prime Minister has said that 40% of the Australian population need to download the app for it to be an effective public health tool. That means about 10 million Australians. The government is well short of that figure at the moment. About 5.6 million Australians have reportedly downloaded the COVIDSafe app. Now the Prime Minister appears to be walking away from his target of 10 million COVIDSafe downloads. He now claims that we only need 40% of all smartphone users in Australia to download the app. But that target is not based on science; it's based on politics. The truth is that many experts believe that the Prime Minister's original 40% target falls well short of what is needed.'*

**Senator Nicholas McKim** (Australian Greens) stated that *'this Bill is an improvement on the determination that it effectively replaces. It introduces additional privacy protections that were not present in Minister Hunt's determination. It introduces other remedies that were not present in the determination and it introduces oversight under the Privacy Act that was not present in the determination. It also provides coverage over state and territory health officials.'* Senator McKim noted that *'we understand the urgency and respect the need for this legislation, particularly as the COVIDSafe app has been live since 26 April and has been downloaded by approximately 5½ million people. However, we retain concerns around the security provisions associated with the data that this app will collect, and we also retain concerns around transparency.'*

While the Greens supported the legislation, Senator McKim advised that he *'won't be downloading this app, because I simply don't trust the government with data about who I am proximate to. I wish the government had gone down a different route, one that many other governments in the world have gone down, in which there is no centralised store of data. The data simply remains on people's mobile devices and, should someone test positive for coronavirus, a message is sent to people who that person was proximate to, letting them know that they've been proximate to someone who has tested positive, and therefore gives them the opportunity to decide to go and get tested themselves.'*

**Senator Malcolm Roberts** (One Nation) advised that One Nation would support the legislation, but he would not be downloading the app because *'the app is not up to scratch'*. Senator Roberts raised a number of security and privacy issues noting that data stored

to the cloud is not deleted. Senator Roberts stated that *'if a cloud service is used to back up or sync a phone, the COVIDSafe app contact log gets backed up to the cloud. This can be viewed by anyone with a sign-in without the phone user's knowledge. I acknowledge that this Bill makes the behaviour illegal, but not storing some of the data in plain English would have been a far better choice.'* Senator Roberts also claimed that if a person has 'named' their phone then in some circumstances the name is what is stored.

Senator Roberts stated that *'app users who have named their phone with their real name may be exposing themselves to danger. This results from the app using different ways of broadcasting data to maximise the chance of a match. This tells us that the developers have taken a deliberate decision to compromise safety to achieve the most number of matches.'*



# PARLIAMENTARY REPORTS FROM TRINIDAD AND TOBAGO



## Trinidad and Tobago holds national elections in August

On Friday 3 July 2020, the Prime Minister of Trinidad and Tobago, Hon. Dr Keith Rowley announced in the House of Representatives that the country would go to the polls on Monday 10 August 2020 to elect a new government. Some 1.5 million citizens are on the Voters' List in Trinidad and Tobago and the population is 1.4 million people, made up principally of two main ethnic groups, Africans and East Indians.

Hon. Dr Keith Rowley told the Parliament of Trinidad and Tobago: *"On this day July 3, I'm to advise all my colleagues that I have advised Her Excellency the President [of Trinidad and Tobago] to dissolve Parliament at midnight. Nomination Day would be Friday 17 July, and*

*Polling Day would be 10 August 2020."*

The outgoing Prime Minister concluded: *"I wish all my colleagues a safe and happy, enjoyable productive campaign and I look forward to seeing all of them somewhere in Trinidad and Tobago, before the next Parliament."*

According to records of the Parliament of Trinidad and Tobago, the dissolution of the 11<sup>th</sup> Parliament comes almost two months before the end of the term in September. The Election Date of 10 August 2020 is, however, three weeks before the end of the present term.

The ruling People's National Movement (PNM) won the last elections on 7 September 2015, and the Trinidad and Tobago Parliament's first sitting following the election was held

on 23 September 2015. The previous People's Partnership Government had called general elections to take place in September 2015, some three months after the 24<sup>th</sup> May date of its 2010 victory.

The Parliament of Trinidad and Tobago consists of the President of Trinidad and Tobago, the House of Representatives, which is composed of the Speaker in addition to 41 directly elected Members serving a five-year term in single-seat constituencies, and the Senate which has 31 Senators appointed by the President (16 Government Senators appointed on the advice of the Prime Minister, 6 Opposition Senators appointed on the advice of the Leader of the Opposition and 9 Independent Senators appointed by the

President to represent other sectors of civil society).

The Trinidad and Tobago House of Representatives consists of 41 Members of Parliament, with the PNM holding 23 seats and the United National Congress led by former Prime Minister, Hon. Kamla Persad-Bissessar winning 18 seats in 2015. Changes to 12 of the 41 constituencies were made earlier this year.

Speaking to the media after the announcement of the election, Hon. Kamla Persad-Bissessar said that she was very happy that a date has been made, and the country was just *"waiting to exhale. We've had five years of brutality, five years of neglect, five years of suffering and especially within the last year. I think it has*

*become a really, really bad. Let the people decide.”*

The Opposition Leader also called on the Trinidad Government to open up the borders which have been closed since March due to the COVID-19 pandemic and questioned how COVID-19 restrictions on gatherings will affect the election hustings. She also called for international election observers to monitor the conduct of the elections.

The elections in Trinidad and Tobago are projected to be a very serious campaign, and in addition to the policies of the two major political parties, PNM and UNC, there are several smaller parties that are expected to join the electoral fray. Both of the main parties have announced many new candidates, mixing the old with the new, and many young candidates. The outcome of the election is being anxiously

awaited in Trinidad and Tobago and the wider Region.

## **Trinidad Parliament unanimously approves Domestic Violence (Amendment) Bill 2020**

Trinidad and Tobago's House of Representatives unanimously approved the Domestic Violence (Amendment) Bill 2020, probably the last piece of legislation before it goes into recess leading the way for parliamentary elections which are constitutionally due by December 2020. The Upper House (Senate) had previously approved the Bill.

The Minister of Health, Hon. Terrence Deyalsingh, in his contribution, said that alcohol is one of the triggers of physical and sexual violence. *“Roughly one-third of women have experienced lifetime sexual violence. Seven per cent of all responses reported having sexual intercourse.”*

The Minister said that the evidence is overwhelming of the role of alcohol in domestic violence and noted that jealousy has played a role in 21% of cases, adding that 21% alone is not the remedy. Eighteen per cent of women identified power and control while 27% of women identified no particular trigger.

*“Society has taught men that sexual dominance should be portrayed, through violence,”* Minister Deyalsingh said. He added that men control women by isolation and playing mind games and using children as a tool. *“If you don't stay with me and take the abuse, I will kill the children or take away the children if you leave, you will never see your children again... that plays to the mind game.”*

Opposition MP, Ramona Ramdial noted that most women today are strong and independent, having embraced education. She called for

serious parenting, but over the years in Trinidad and Tobago, there has been improvement, and called for opportunities to be made available to achieve economic empowerment. The MP from Couva North, Central Trinidad, said that in some cases of domestic violence, results show that they are not empowered to move away from abusive situations.

The Minister of State in the Office of the Prime Minister, Hon. Ayanna Webster-Roy who piloted the Bill, pointed out that the sharing of videos depicting domestic violence was unacceptable. *“For the last few weeks, I have noticed an alarming trend on social media where instances of domestic violence are shared to serve as entertainment.”* Ms Webster-Roy told Parliament that the Bill empowers the Commissioner of Police to establish and maintain a Domestic Violence Register. She said that since 2015, the sum of \$170 million has been allocated to the Gender Affairs Division. *“We have worked with various stakeholders to implement programmes geared towards changing the cultural norms and values that perpetrate family violence, and violence on the whole and worked with private and public sector organizations to address toxic masculinity which often leads to violence in our society,”* the Minister added.

Opposition MP, Christine Newallo-Hosein, said it was important to look at the root causes of abuse in each instance which could be helped by counselling. *“The only way we can change the minds of someone is to get them to understand there is a perceived behaviour that is not in tandem with what is required in the society, that they need help.”* Ms Newallo-Hosein called on the government to make counselling mandatory.





### Arms Legislation Bill

The Arms Legislation Bill passed its Third Reading on 18 June 2020. The Minister for Police, **Hon. Stuart Nash, MP** (Labour) explained to the House, *"The new law is designed to stop firearms falling into the wrong hands. It spells out for the first time that owning a firearm is a privilege, limited to responsible, licensed owners. The most significant change is a new firearms register."*

However, the Opposition spokesperson for Police, National Party MP, **Mr Brett Hudson** countered that the Bill *"places a whole lot more compliance and cost on shooting clubs and ranges, almost all of which are, simply, run by small volunteer groups."* Mr Hudson added: *"Now, National does not oppose a firearm registry per se, but what we've said all along is that this one ... won't deliver the objective, which was stated as keeping the guns out of the hands of criminals."*

**Ms Kiritapu Allan, MP** (Labour) said, *"The legislative changes that we have made as a nation since March the 15<sup>th</sup> have meant the Christchurch terrorist would not have been able to purchase the types of weapons that killed 51 people last year."*

**Hon. Dr Nick Smith, MP** (National) disagreed, however, saying: *"The question in the mind of all New Zealanders and of*

*this Parliament ... is how it was possible for that individual to be able to pull together the armaments of which he committed that horrific terrorist act. The part that concerns me about this Bill and all the rhetoric that has surrounded it is that that fundamental question has not been answered."*

**Mr Ian McKelvie, MP** (National) commented in particular on the passage of the legislation: *"I think that it's extraordinary that we'd be pushing a piece of legislation through the House and passing it in urgency, when we don't know the result of that Royal Commission."*

The Minister for Defence, **Hon. Ron Mark, MP** (New Zealand First) spoke in support of the Bill: *"There is no secret; we've had many conversations ... with Minister Nash and with the Labour team around some of our reservations with respect to this Bill. New Zealand First formed a coalition Government and selected the Rt Hon. Jacinda Ardern to be the Prime Minister of this nation, and she was the Prime Minister of this nation when that horrendous attack by that terrorist took place in Christchurch on March the 15<sup>th</sup>. As the Prime Minister of this nation, she made a call. It was a loud and clear and very emphatic call. As responsible parties and members of this coalition Government, New Zealand First*

*supports our Prime Minister, and continues to do so."*

Similarly, the Green Party of Aotearoa New Zealand Justice spokesperson, **Ms Golriz Ghahraman, MP** acknowledged that the Bill *"is a small step towards making all the communities affected by mental illness, by family violence, by gun violence, and by crime more safe."*

Parts of the Bill did enjoy Opposition support too. **Hon. Nathan Guy, MP** (National) said, *"I do acknowledge the change that's been made for farmers with the ability to apply for a pest management regime and hold a semi-automatic weapon. I think that's a good move. But I'm disappointed that the Government didn't take this opportunity to get tougher on gangs."*

**Dr Deborah Russell, MP** (Labour), Chairperson of the Finance and Expenditure Select Committee, concluded: *"It's legislation that about 85% of New Zealanders agree with that we do need to have better control over firearms in this country. This Bill represents a step in doing that. We will continue to work on these issues over the years, as should be the case. But today we have achieved something significant. I commend this Bill wholeheartedly to the House."*

The Bill passed with 63 votes to 50 and received the Royal Assent on 24 June 2020.

### COVID-19 response legislation

The New Zealand Parliament passed a suite of legislation in 2020 in response to the COVID-19 pandemic. The various Bills covered topics including public health, welfare, tax, resource consent, immigration, and overseas investment.

The COVID-19 Response (Taxation and Other Regulatory Urgent Measures) Bill set out provisions to limit the risk of the outbreak or spread of COVID-19 by creating public health enforcement powers, offences, and penalties. The Minister of Justice, **Hon. Andrew Little, MP** (Labour) explained: *"It is right that we clarify that we have the power to deal with it as we move down the levels and give ourselves the power to respond in a more nuanced sort of way and a more agile sort of way."*

Opposition MPs expressed concern, however, at the wide-ranging powers granted under the Bill. **Mr Brett Hudson, MP** (National) commented: *"Let's make no mistake: the powers within this Bill give the Government*

- and that's the Executive Government, not its agencies - enormous scope to curtail the civil liberties of New Zealanders under any conditions related to COVID equal to what they have seen over the last seven weeks."

The COVID-19 income relief payment programme provides payments to New Zealanders who have lost their job due to the impact of COVID-19. Under the Social Security (COVID-19 Income Relief Payment to be Income) Amendment Bill, a payment received under the programme is treated as income for social security purposes, meaning recipients may receive higher levels of income support than recipients of main benefits.

**Hon. Tim Macindoe, MP** (National) expressed concern that the Bill would create "a two-tier system" and that it is "embedding unfairness." The COVID-19 Response (Taxation and Other Regulatory Urgent Measures) Bill also aimed to provide cash-flow relief to businesses by making temporary tax changes.

The COVID-19 Recovery (Fast-track Consenting) Bill was designed to promote employment growth by establishing new fast-track resource consenting processes for new projects, among other measures.

The Associate Minister for the Environment, **Hon. Eugenie Sage, MP** (Green) commented: "the Green Party was concerned, as were many submitters, about some key issues: public participation, and the constraints on that; climate change; and the environmental bottom lines and safeguards." However, she added that the issues had been worked through and improved in the Bill.

The Immigration (COVID-19 Response) Amendment Bill granted temporary powers for the Government to amend visa conditions for large groups of people. The Minister of Immigration, **Hon. Iain Lees-Galloway, MP** (Labour) explained: "the scale of the epidemic means that we need to be more nimble."

The Overseas Investment (Urgent Measures) Amendment Bill was designed to improve New Zealand's foreign investment screening regime in response to the pandemic. New Zealand First MP, **Ms Jenny Marcroft** explained: "this Bill actually aims to protect our national interests, the long-term interests of New Zealand. It will increase the oversight into the foreign investment in Aotearoa, because much has changed in our COVID world."

The Remuneration Authority (COVID-19

Measures) Amendment Bill implemented Prime Minister Jacinda Ardern's announcement that she would take a 20% pay cut during the pandemic, along with Government Ministers and heads of Government departments. The Bill was supported by the Opposition. **Hon. Dr Nick Smith, MP** (National) commented that ordinary New Zealanders "are taking huge economic pain in the wake of COVID-19, and for that reason, it is appropriate that others, including Members of Parliament, share in that burden personally."

Funding for the various recovery measures was set out in the 2020 Budget legislation. Opposition Finance spokesperson, **Hon. Paul Goldsmith, MP** (National) expressed concern at the size of the spending, stating, "At the moment, New Zealanders have about NZ\$60 billion of net debt - NZ\$60 billion - and that NZ\$60 billion is going to go up to NZ\$200 billion - an extra NZ\$140 billion of debt."

### Electoral (Registration of Sentenced Prisoners) Amendment Bill and Electoral (Registration of Sentenced Prisoners) Amendment Bill (No 2)

The Electoral (Registration of Sentenced Prisoners) Amendment Bill passed its Third Reading during urgency on 24 June 2020. The Bill makes changes to the *Electoral Act 1993*, reversing changes made by the previous Government through the *Electoral (Disqualification of Sentenced Prisoners) Amendment Act 2010*.

The Minister of Justice, **Hon. Andrew Little, MP** (Labour) explained: "This law will restore the right to vote of those sentenced to less than three years, because of a very simple principle. At the time of an election, for somebody sentenced to less than three years, they will be out before the next election. It might be in a month, it might be in 18 months, but they will be out before the next election, and they must have a right to have a say on those running the country that they are about to be released free into."

During the Committee of the Whole House, **Ms Golriz Ghahraman, MP** (Green) put forward an amendment that sought to extend voting rights to all prisoners. She explained, "The reason for that is that New Zealand is a proud nation that upholds and

protects basic human rights even when the absolute worst has happened." The first part of her amendment was rejected; however, the second part was voted through with Opposition support, thereby rendering the Bill unworkable.

**Hon. Dr Nick Smith, MP** (National) said: "Now, in Part 1 of this Bill, we limit the right to vote to extending it to those that have been sentenced to a term of three years or less ... But in Part 2 of the Bill, with the amendments that have been supported by the House, we now have ... no distinction between those that have served more than three years than not. We now have a Bill that requires a prison manager to act illegally." Dr Smith sought leave to discharge the Bill and for it to be referred back to the Justice Committee, saying, "It is openly acknowledged now that this Bill has an internal contradiction. It is unworkable law." However, there was objection to this course of action and the Bill subsequently received the Royal Assent on 29 June 2020.

The Electoral (Registration of Sentenced Prisoners) Amendment Bill (No 2) passed its Third Reading on 30 June 2020. The Bill amends the *Electoral Act 1993* to remedy the inconsistencies introduced by the *Electoral (Registration of Sentenced Prisoners) Amendment Act 2020* the day before.

**Hon. Clare Curran, MP** (Labour) said: "this is what we would describe as a 'fix-it' Bill, which fixes an issue created by the National Party playing petty politics during the Committee stage of the Electoral (Registration of Sentenced Prisoners) Amendment Bill last week."

**Mr Chris Penk, MP** (National) countered: "In response ... to the point made ... that the National Party has ... been inconsistent in supporting one of those parts of the Green Supplementary Order Paper and not the other, I would say that it's been consistent with our position throughout in relation to the underlying legislation that we oppose it, and that we will do nothing to assist its passage through the House because we do not believe in it."

The Electoral (Registration of Sentenced Prisoners) Amendment Bill (No 2) received the Royal Assent on 1 July 2020.

## THIRD READING: NEW ZEALAND

## UK PARLIAMENT CONTINUES TO ADAPT TO COVID-19

Both UK Houses of Parliament continued to adapt to the COVID-19 outbreak in recent months. The UK House of Commons agreed to temporary motions to permit hybrid ‘substantive’ proceedings from 22 April 2020. It allowed for proceedings including stages of Public Bills to be carried out whilst adhering to social distancing measures. Up to approximately 50 Members of Parliament could physically attend the Chamber whilst others participated remotely via videoconferencing software. The House of Commons also sanctioned an online remote divisions system on 22 April 2020. History was made on 12 May 2020 when remote voting was used for the first time. Members were given 15 minutes to cast their vote on the *MemberHub* website, after which votes were collated by the Public Bill Office and announced in the Chamber. A further nine divisions were held remotely before the House of Commons rose for the Whitsun recess on 20 May 2020.

Motions to renew the temporary orders regarding remote voting and hybrid proceedings were not tabled before the recess. Responding to an Urgent Question on the matter, the Leader of the House of Commons, Rt Hon. Jacob Rees-Mogg, MP (Con), told the House “*under the hybrid proceedings, the time this House is able to spend debating legislation faces being cut by around two thirds... if we persist with the present arrangements, it will become harder to make progress in a timely fashion.*” Referring to the Prime Minister’s address to the nation on the 10 May 2020 and subsequent Government guidance (that advised those who were unable to work from home to return to

their workplaces, if possible), Mr Rees-Mogg remarked “*That is why, in line with Government advice... I am asking Members to return to their place of work after Whitsun.*”

Rt Hon. Valarie Vaz, MP (Lab), Shadow Leader of the House of Commons, challenged Mr Rees-Mogg during the debate: “*The Government’s own advice is that those who can work from home should do so - that is still the Government’s advice, on grounds of working and travelling safely. Will he confirm that he is not contradicting Government advice...?*”

The Speaker recalled the House of Commons a day early from the Whitsun recess to consider a new temporary procedural motion tabled by the Leader of the House on 2 June 2020. The motion rescinded the temporary orders for hybrid substantive proceedings, thereby ending the ability of Members to participate virtually. It also provided that divisions may be conducted under arrangements made by the Speaker, as long as Members participate from within the Parliamentary estate.

An amendment was tabled by Rt Hon. Karen Bradley, MP (Con), Chair of the Procedure Committee, to amend the motion to allow for remote divisions and remote participation to continue unless the Speaker deems that physically participation is consistent with relevant public health guidance and advice and with the legal duties of the House of Commons Commission and the Corporate Officer, or until the House otherwise orders.

As the temporary order sanctioning remote divisions had expired, the online division system could not be used to vote on the motion. A system

was devised to allow for MPs to physically vote whilst meeting social distancing guidelines of two metres. The system was a queue that stretched through the Parliamentary estate as MPs took turns to enter the House of Commons Chamber and state aloud whether they were voting ‘aye’ or ‘no’. This was then recorded by Clerks watching the video feed. Karen Bradley’s amendment was defeated by 185 votes to 242, and the motion in the name of Jacob Rees-Mogg was carried by 261 votes to 163. Each division took over 40 minutes due to the socially-distanced method of voting.

However, further temporary orders were tabled by the Leader of the House on 4 June 2020 which permitted Members to participate virtually for some proceedings, namely Questions, Urgent Questions and Statements, if they have self-certified that they are unable to attend at Westminster for medical or public health reasons. The existing eligibility criteria for voting by proxy was also extended, which was previously exclusive to Members absent for childbirth, adoption or childcare, to those at high risk from Coronavirus. These orders were agreed without debate. The numbers able to physically attend the Chamber remained capped to facilitate social distancing. A system has since been implemented for divisions in which Members scan their Parliamentary passes located in the division lobbies to register their vote whilst maintaining social distancing. During this period, virtual Public Bill Committees were also trialled by the House authorities but have not been implemented.

The UK House of Lords continued to innovate as a

result of the pandemic. The Lords agreed to a Business of the House motion on 4 June 2020 which permitted a hybrid House model whereby Members could participate virtually or physically in the Chamber, albeit with limited capacity. This departed from the fully virtual model which the House of Lords had used since returning from the Easter recess. The House of Lords also developed and launched an online voting website, *PeerHub*, to facilitate remote voting. This was used for the first time on 15 June 2020 during the Third Reading of the Extradition (Provisional Arrest) Bill. 544 Members of the House of Lords took part in the second division on the Bill, making it the 13<sup>th</sup> biggest division to that date.

### Coronavirus-related legislation

Continuing its response to the COVID-19 pandemic, the UK Government introduced two expedited Bills to Parliament. The first was the Corporate Insolvency and Governance Bill which was introduced to the House of Commons on 20 May 2020. This Bill was introduced in response to the potential economic fallout following the lockdown measures imposed due to the pandemic. Provisions included greater flexibility to the insolvency regime so companies could explore options for rescue whilst supplies are protected and the suspension of parts of insolvency law to facilitate trading without the threat of directors’ personal liability. Over 90 Government amendments were tabled and agreed to in the House of Lords. These included amendments to change statutory instruments under certain provisions from the negative to “*made affirmative*” procedure. Rt

Hon. Earl Howe (Con), Deputy Leader of the House of Lords, said during the Report stage that the Delegated Powers and Regulatory Reform Committee *“have made important recommendations and the Government have sought to accept as many of them as possible.”* The Bill received Royal Assent on 25 June 2020.

The Business and Planning Bill was introduced in the House of Commons on 25 June 2020. The Bill includes a range of measures to help businesses adjust to new ways of working as the country recovers from disruption caused by COVID-19. These included relaxing rules to make it easier for premises in England serving food and drink to seat and serve customers outdoors, and amending legislation to facilitate ‘Bounce Back Loans’ (Government loans for small businesses impacted by COVID-19). 42 amendments were made to the Bill in the House of Lords and these were agreed to by the House of Commons. The Bill received Royal Assent on 22 July 2020.

### Curtailment of recesses

In both UK Houses of Parliament, it was announced that the summer recess would be curtailed. The planned September recess held for party conferences was also scrapped as a result of the cancellation of the conferences following the COVID-19 outbreak. Rt Hon. Lord Ashton of Hyde (Con), Government Chief Whip, told the House of Lords that it was in response to the *“inevitably slow progress of business over the past three months.”*

This was in reference to the Government’s intentions to pass significant Bills including the Agriculture, Environment and Trade Bills before the end of the transition period following the UK’s withdrawal from the EU. The UK Government formally notified



the EU on 12 June 2020 that it would not extend the transition period; the period in which the UK and EU may negotiate a future framework of their relationship before the UK ceases to be a member of the single market and customs union. The transition period ends on 31 December 2020.

### Independent Complaints and Grievance Scheme

On 23 June 2020, the Leader of the House of Commons, Rt Hon. Jacob Rees-Mogg, MP (Con), moved motions relating to the formation of an independent panel of experts to deal with bullying and harassment allegations; a recommendation in the independent inquiry report by Dame Laura Cox, QC, *The Bullying and Harassment of House of Commons Staff*.

Moving the motion, Mr Rees-Mogg remarked *“The behaviour of a small number of Members of Parliament over years and decades has disgraced and shamed our parliamentary democracy... Placing decisions of this kind in the hands of an independent expert panel is a fundamental break with the past that reflects our continuing efforts to make Parliament a better place to work.”*

These arrangements proved to be controversial as they would have allowed the House to debate the decisions reached by the independent panel. An amendment was tabled by **Chris Bryant, MP** (Lab) so that the House may only ratify decisions from the independent expert panel without debate. Mr Bryant ‘commended’ Mr Rees-Mogg

for bringing forward the proposal but argued *“we have to declare an absolute self-denying ordinance in relation to debating a decision that has already been reached by an independent body, that has an appellate process within it, where all the evidence has been considered, where both sides of the argument have an equal opportunity to put their case...many complainants would be re-victimised.”* Mr Bryant’s amendment passed by 243 votes to 238.

In 2019, the House of Lords agreed that reports from the Conduct Committee relating to the behaviour of Peers, including those imposing sanctions, should be decided by the House without debate.

## CPA Patron, Officers, Executive Committee, Regional Representatives, Commonwealth Women Parliamentarians (CWP) and CPA Small Branches Steering Committees 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)\*:

Hon. Anthony Rota, MP  
Speaker of the House of  
Commons (Canada Federal)

**VICE-PRESIDENT:** (2019-2021)\*:

Rt Hon. Aaron Mike Oquaye, MP,  
Speaker of Parliament (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  
Parliament (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. Sephiri 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  
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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  
President of the Senate  
Australia Federal, (2019-2022)

#### BRITISH ISLANDS AND MEDITERRANEAN

Hon. Stuart McMillan, MSP  
Scotland (*stand-by Branch for  
Northern Ireland*), (2016-2021)\*

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, MLA  
Speaker of the House of  
Assembly, Nova Scotia  
(2017-2021)\*

Hon. Yasmin Ratansi, MP  
Canada Federal  
(2019-2022)

#### CARIBBEAN, AMERICAS AND THE ATLANTIC

Hon. Bridgid Annisette-George,  
MP, Speaker of the House,  
Trinidad & Tobago, (2017-2021)\*

Hon. Andy Glenn Daniel, MP  
Speaker of the House of  
Assembly, St Lucia, (2019-2022)

Hon. Dwayne Taylor, MHA  
Speaker of the House of  
Assembly, Turks & Caicos  
(2019-2022)

#### INDIA

Shri Premchand Aggarwal, MLA  
Speaker of Legislative Assembly,  
Uttarakhand, (2016-2021)\*  
*To complete term started by another  
Member.*

Shri Hitendra Goswami, MLA  
Speaker of the Legislative  
Assembly, Assam, (2017-2021)\*

Shri Anurag Sharma, MP, Lok  
Sabha, India Union, (2019-2022)

#### PACIFIC

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Hon. Francesca Semoso, MHR  
Deputy Speaker, Bougainville,  
(2017-2021)\*

Hon. Sir Ratu Epeli Nailatikau  
Speaker of Parliament of Fiji  
(2019-2022)

#### SOUTH-EAST ASIA

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Speaker of Johor State Legislative  
Assembly, (2016-2021)\*

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Singapore, (2017-2021)\*

Hon. Datuk Wira Dr Mohd Hatta  
Md Ramli, MP, Malaysia (2019-  
2022)

## CPA Small Branches Steering Committee

### CPA SMALL BRANCHES CHAIRPERSON

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Parliament of the Cook Islands  
(2019-2022)

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Seychelles  
(2019-2021)

### AUSTRALIA

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Speaker of the Legislative  
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Territory (2019-2021)

### BRITISH ISLANDS AND MEDITERRANEAN

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Guernsey  
(2019-2020)

### CANADA

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Speaker of the Legislative  
Assembly, Yukon  
(2019-2022)

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JP**, Speaker of the Legislative  
Assembly,  
Cayman Islands, (2019-2020)  
*Also: Vice-Chairperson of the  
CPA Small Branches.*

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Keti, MP**, Samoa  
(2019-2022)

### SOUTH-EAST ASIA

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Bahari, MLA**, Speaker of the  
Legislative Assembly, Perlis  
(2019-2020)

*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

### AFRICA

**Mr Steven Kagaigai**  
Parliament of Tanzania

### ASIA

**Mr Syed Shamoon Hashmi**  
Parliament of Pakistan

### AUSTRALIA

**Ms Alex Cullum**  
Parliament of Australia

### BRITISH ISLANDS & MEDITERRANEAN

**Mr Jon Davies**  
Parliament of the United  
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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

**Ms Wendy Hart**  
Parliament of New Zealand

### SOUTH-EAST ASIA

**Mr Nizam Mydin bin Bacha Mydin**  
Parliament of Malaysia

## CPA Headquarters Secretariat

### Mr Stephen Twigg

CPA Secretary-General

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## Commonwealth Women Parliamentarians (CWP) Steering Committee

### CWP PRESIDENT

*Vacant*  
Canada Federal  
(2019-2021)

### CWP CHAIRPERSON

**Hon. Shandana Gulzar Khan,  
MNA**, Pakistan  
(2019-2022)

### AFRICA

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Nigeria  
(2019-2022)  
*Also CWP Vice-Chairperson  
(2019-2020)*

### ASIA

**Hon. Munaza Hassan, MNA**  
Pakistan  
(2018-2021)

### AUSTRALIA

**Hon. Michelle O'Byrne, MP**  
Tasmania  
*Acting CWP Rep (2019-2022)*

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**Hon. Jeannine Giraudy-  
McIntyre, MP**  
President of the Senate, St  
Lucia  
(2018-2021)

### INDIA

**Smt. Kirron Kher, MP**  
Lok Sabha, India (2017-2020)

### PACIFIC

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