
The Parliament of the Commonwealth of Australia

**Report of the Australian Parliamentary
Delegation to the 50th Commonwealth
Parliamentary Conference, Canada, and
to the United States of America –
September 2004**

November 2004

Commonwealth of Australia 2004

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Foreword

In September 2004, an Australian Parliamentary Delegation attended the 50th Conference of the Commonwealth Parliamentary Association (CPA) in Canada and then made a bilateral visit to the United States.

The theme for the CPA conference was 'Responsibilities and Rights of People and Parliamentarians in a Global Community'. As well as bringing together parliamentarians from across the Commonwealth to discuss issues, the Conference also afforded delegates an opportunity to talk informally together, share experiences and build the friendships that can form the basis for future international cooperation.

The political, security, economic and social ties between Australia and the United States bind our two countries together closely. The bilateral visit to the United States allowed the Delegation an opportunity to explore the depth of those ties. The Delegation met Members of Congress and public administrators; toured a defence plant; spoke to a number of Australian business people working in the United States; and met political commentators and experts in their various fields.

The War on Terror and the Australia-United States Free Trade Agreement provided a backdrop to many of the discussions held by the Delegation, particularly in Washington. The Delegation used the visit to present an Australian perspective on these issues and to gain an insight into American thinking. As with the CPA Conference, the Delegation's visit to the United States allowed the delegation members to talk informally with members of another legislature and build on the already strong rapport between the two parliaments. The visit also gave the Delegation a very valuable opportunity to see issues of importance to Australia from the perspective of another country.

I wish to thank the President of the Senate, Senator the Hon Paul Calvert, for allowing me to represent him at the CPA Conference and to lead the delegation. I also wish to thank my colleagues who travelled with me, Senator Tchen and Senator Buckland, for making the delegation such a tight knit and harmonious

group (despite our support for different AFL teams in the run up to the Grand Final!). The Delegation was enriched by the company of Senator Tchen's wife Pauline and my own wife, Sue. I also wish to thank the many officials – Australian, Canadian and American – who helped the Delegation on various stages of its trip, including the Delegation secretary, James Catchpole. Of course, I could not forget to also mention our several 'limovan' drivers in the United States who provided excellent transport service and gave colourful, even if less formal insights into many aspects of American life.

Senator John Hogg

Senator for Queensland

Delegation Leader



Membership of the Delegation

Leader of the Delegation

Senator John Hogg

Senator for Queensland

Deputy Leader of the Delegation

Senator Tsebin Tchen

Senator for Victoria

Delegation Member

Senator Geoffrey Buckland

Senator for South Australia

Delegation Secretary

James Catchpole

Department of the House of Representatives

Introduction

- 1.1 This report is in two major parts. Chapter 2 reports on the attendance by an Australian Parliament delegation at the Commonwealth Parliamentary Association's (CPA) 50th Conference in Canada from 1 to 9 September 2004. Chapter 3 describes the activities of the same delegation during its visit to the United States (US) from 9 to 17 September 2004. A copy of the Program for the visit to the US is at Appendix A.

Background

- 1.2 The Delegation's departure arrangements were conducted in the build up to an Australian federal election. In fact, members of the Delegation departed Australia on 31 August 2004, the day that the 40th Parliament was dissolved prior to the election. Given the dissolution, it was then not possible for the one delegation member from the House of Representatives, the Hon Leo McLeay MP, to further participate.

Commonwealth Parliamentary Association Conference

- 1.3 The Delegation's first responsibility was to represent the Australian Parliament at the CPA's 50th Conference, held in Quebec and Toronto in Canada. The theme of the conference was 'Responsibilities and Rights of People and Parliamentarians in a Global Community'.

Visit to the United States

- 1.4 Given Canada's proximity to the US, the Delegation continued the tradition of biennial contacts between Australian and American parliamentarians during the second half of its time abroad. The Delegation visited in the midst of the 2004 presidential, congressional and gubernatorial election campaigns. For this reason, a topic of conversation in many of the Delegation's meetings was the progress of the two candidates in the presidential elections and the likely partisan complexion of the 109th Congress.
- 1.5 The visit also coincided with the third anniversary of the 11 September 2001 terrorist attacks on the US. The Delegation was in Washington on the actual anniversary date and attended a memorial service, principally for those who perished in the attack in Washington on the Pentagon building. The Delegation was very conscious of the heightened security at US border crossings and airports and particularly in the streets and around the public buildings of Washington. The omnipresent security provided a sombre backdrop to the Delegation's discussions about the United States' foreign policy and the War on Terror.

Acknowledgements

- 1.6 The Delegation records its appreciation of the efforts of many people who contributed to its visits - before, during and after.

Canberra

- 1.7 The Delegation received written and oral briefings prior to its departure from officers of the Department of Foreign Affairs and Trade and the Department of the Parliamentary Library (in particular, Dr Frank Frost of the Parliamentary Library's Research Service).
- 1.8 The members of the delegation also appreciate the work to organise the visit and ensure its success by the Parliamentary Relations Office (PRO). Particular thanks are due to Chris Paterson, the Director of PRO, for his advice on procedural matters during the CPA Conference in Canada.

The United States

- 1.9 The Delegation appreciated the excellent assistance provided by the Australian Ambassador to the United States of America, HE Mr Michael Thawley and his staff. The Delegation particularly wishes to thank

Graham Eveille, Counsellor (Defence Material) who accompanied the Delegation in Texas. The Delegation also wishes to thank Tanya Smith, Counsellor (Congressional Liaison) who coordinated the Washington program and accompanied the Delegation while there and Elizabeth Willis, Congressional Liaison Officer, and Mr Tom Corcoran, Manager Visits, who also provided support and accompanied the Delegation while in Washington.

- 1.10 The Delegation is also grateful for the efforts of Peter Frank, Senior Trade Commissioner and Consul General in San Francisco who accompanied the Delegation in San Francisco and Angela Lowrey, the Consular and Information Services Manager who provided excellent support services. The Delegation also welcomed the expertise and comments from the different Business Development Managers from Austrade who accompanied the Delegation in San Francisco to various meetings.

50th Commonwealth Parliamentary Conference

Introduction

- 2.1 The 50th conference of the Commonwealth Parliamentary Association (CPA) was held in Canada from 1 to 9 September 2004. The conference was held in the city of Quebec from 1 to 4 September and in Toronto from 5 to 9 September.
- 2.2 The theme for the 50th Conference was the 'Responsibilities and Rights of People and Parliamentarians in a Global Community'. The theme recognised the increasing number of issues that needed to be addressed and tackled by all parliaments.
- 2.3 There are now nearly 170 active CPA branches within Commonwealth parliaments at the national, state, territory and provincial level, representing over 15, 000 parliamentarians.¹ Over 500 CPA members from these parliaments attended the conference.
- 2.4 These included the three member delegation representing the Australian national parliament ('the Delegation') plus 13 members from the other Australian parliaments. The leader of the Australian Delegation, Senator Hogg, was invited to be a lead speaker at one of the plenary sessions (see below).²

1 www.cpahq.org/aboutus/default.aspx (accessed 10 November 2004).

2 A copy of Senator Hogg's speech is at Appendix B.

Conference Topics

2.5 The conference comprised:

- 3 plenary sessions and six workshops;
- the annual CPA General Assembly;
- the meeting of the Women Parliamentarians' Steering Committee;
- the 24th Small Countries Conference, attended by representatives of Commonwealth jurisdictions with populations of less than 400 000 people;
- meetings of regional groupings of the CPA;
- a meeting of the CPA Executive Committee; and
- a General Meeting of the Society of Clerks-at-the-Table, comprising parliamentary officials.

2.6 In addition to the various plenary sessions, the conference held six workshops to discuss different dimensions of the conference theme in greater detail. The workshop discussion topics were:

- Workshop A: 'Commonwealth standards for democratic legislatures and the Commonwealth principles on the accountability of and relationship between the three branches of government';
- Workshop B: 'An integrated strategy to combat racism, discrimination, xenophobia and related intolerance';
- Workshop C: 'Parliament and civil society working together for poverty reduction';
- Workshop D: 'Successful strategies in prevention, management and treatment of the AIDS pandemic';
- Workshop E: 'Parliament and the right to know'; and
- Workshop F: 'Protecting public health in the global village'.

2.7 Workshops A, B and C were conducted simultaneously in the morning of 6 September while workshops D, E and F were conducted simultaneously later than afternoon. The Delegation attended workshops A and E respectively.

2.8 A copy of the synopsis prepared by the CPA secretariat of the discussion at the workshops is at Appendix C.

Opening Remarks for the Conference

- 2.9 In the Opening Ceremony for the Conference on 3 September 2004, Her Excellency, the Right Honourable Adrienne Clarkson, Governor General of Canada, stressed the importance to good governance of including women in decision making processes and of encouraging 'participatory, grassroots' democracy.
- 2.10 In his opening remarks on the following day, HE Don McKinnon, the Commonwealth Secretary General, praised the conference as an opportunity for parliamentarians to network with each other. He noted that the Commonwealth had six priorities for its members, which were that countries have:
- a free media that gave equal coverage to government and opposition;
 - strong party systems with active political parties;
 - governments that engage with civil society;
 - parliaments that have strong committee systems;
 - equal representation for women in parliaments; and
 - that ensure a clear distinction between governments and ruling parties, particularly at election times.
- 2.11 A copy of the Commonwealth Secretary General's presentation is at Appendix D.
- 2.12 The CPA Secretary-General, the Hon Denis Marshall, then spoke and stressed the need for the Conference to focus on practical outcomes and for 'developing effective ways of overcoming problems, [and] devising workable solutions to the challenges we face'. Mr Marshall reminded delegates that :
- the fact that you're meeting, in itself, is not enough. What counts is where the talking will lead to after you've left...
- 2.13 A copy of the CPA Secretary General's presentation is at Appendix E.

Business of the Conference

Plenary Sessions

- 2.14 The first plenary session was held as part of a meeting of Commonwealth Women Parliamentarians (CWP) and addressed the Commonwealth Plan of Action for Gender Equality 2005-2015. The session consisted of an address by a different lead speaker followed by questions on each of the following topics:
- Gender, democracy, peace and conflict;
 - Gender, human rights and the law;
 - Gender, poverty eradication and economic empowerment; and
 - Gender and HIV/AIDS.

Presentation by Leader of Delegation

- 2.15 The leader of the Australian Delegation, Senator Hogg, was lead speaker on the first topic – ‘Gender, democracy, peace and conflict’.
- 2.16 A copy of Senator Hogg’s full speech is at Appendix B. In summary, he noted that, given that women constitute more than half the population, their participation in political, social and economic affairs is an essential part of the democratic process. At the very least, women should be able to influence the public decisions that affected their lives and those of their families.
- 2.17 Senator Hogg argued that women can contribute to what is often *the* most pressing issue facing national parliaments – the resolution of conflict. While this is an extension of the broader aspiration that women should be active at all levels of political decision making, they can play very practical roles in conflict resolution and peace keeping. Women can contribute at the policy level, but also can play an invaluable role ‘on the ground’ as peacekeepers. Senator Hogg drew on examples from Australia’s experience, noting the vital role women in the Australian armed forces played in peace keeping efforts in East Timor and Bougainville.
- 2.18 Senator Hogg concluded by stressing a personal theme that democracy is founded on the principle of mutual respect and dignity. The struggle to preserve the dignity of the individual and to help those who are disadvantaged should lead to an inevitable concern with the place of women in society. Senator Hogg finished with the observation that the

participation of women in formal decision making processes and their representation on the frontline of democracy -- in parliaments – is essential to ensure that women are treated with dignity. In the context of his presentation, respecting the contribution that women can make to conflict resolution will contribute to both peace and the creation of just societies.

Other Plenary Sessions

- 2.19 The major plenary session of the Conference proper was broken into two parts, both of which were on the conference theme, ‘Responsibilities and Rights of People and Parliaments in a Global Community’. At the first session, the lead speakers were Mr K Scott Hubli from the National Democratic Institute, Mr Serguei Lazarev from UNESCO and Mr Rick Stapenhurst of the World Bank Institute. In the second session, the lead speakers were Senator the Hon Dr Marcus Bethal from the Bahamas, the Hon Somnath Chatterjee from India and Mr Yatiman Yusof from Singapore.
- 2.20 The final plenary session discussed ‘The trend towards supra-national parliaments – should every region have one?’. Lead speakers were the Hon Dr Mary Nagu from Tanzania, the Hon Mario Galea from Malta, the Hon Enoch Motanyane of Lesotho and Andrew Welsh from Scotland.

Workshops

Workshop A: Commonwealth standards for democratic legislatures and the Commonwealth principles on the accountability and relationship between the three branches of government

- 2.21 This workshop was attended by all Members of the Delegation, who had expressed a particular interest in a document originating at the Commonwealth Heads of Government Meeting in Nigeria in 2003 entitled *Commonwealth Principles on the Accountability of and Relationship Between the Three Branches of Government*.³ The workshop discussed various aspects of the Commonwealth Principles and their practical application in different countries. The ten Commonwealth Principles, in summary, are as follows.

1. Three Branches of Government

3 *Commonwealth Principles on the Accountability of and the Relationship between the Three Branches of Government*, as agreed by Law Ministers and endorsed by the Commonwealth Heads of Government Meeting, Abuja, Nigeria, 2003.

- The three branches of government (parliament, executive and the judiciary) are the guarantors, in their respective spheres of the rule of law, the promotion and protection of human rights and the entrenchment of good governance.

2. Parliament and the Judiciary

- The relations between parliament and the judiciary should be governed by respect for parliament's primary responsibility for law making on the one hand and for the judiciary's responsibility for the interpretation and application of the law on the other.

3. The Independence of Parliamentarians

- Parliamentarians must be able to carry out their legislative and constitutional functions in accordance with any Constitution, free from unlawful interference.

4. Independence of the Judiciary

- An independent, impartial, honest and competent judiciary is integral to upholding the rule of law, engendering public confidence and dispensing justice.

5. Public Office Holders

- Merit and proven integrity should be the eligibility criteria for appointment to public office.

6. Ethical Governance.

- Ministers, members of parliament, judicial officers and public office holders in each jurisdiction should respectively develop, adopt and periodically review appropriate guidelines for ethical conduct.

7. Accountability Mechanisms,

- Parliaments and governments should maintain high standards of accountability, transparency and responsibility in the conduct of public business. Furthermore, parliamentary procedures should provide adequate mechanisms to enforce the accountability of the executive to parliament.

8. The Law Making Process

- Adequate parliamentary examination of proposed legislation is an essential element of good governance. Where appropriate, the public should have an input into the legislative process. Parliaments should,

where relevant, be given the opportunity to consider international instruments or regional conventions agreed to by governments.

9. Oversight of Government

- Zero tolerance for corruption is vital to good governance. A transparent and accountable government together with freedom of expression encourages the full participation of its citizens in the democratic process. Steps to encourage public sector accountability include establishment of scrutiny bodies and mechanisms to oversee government, such as public accounts committees, ombudsmen, human rights commissions and auditors-general.

10. Civil Society

- Parliaments and governments should recognise the role of civil society and encourage lawful participation in the democratic process.

Workshop B: An Integrated Strategy to Combat Racism, Discrimination, Xenophobia and Related Intolerance

2.22 Workshop B was conducted simultaneously with Workshop A and, accordingly, was not attended by any members of the Australian Delegation.

Workshop C: Parliament and Civil Society Working Together for Poverty Reduction

2.23 Workshop C was conducted simultaneously with Workshop A and, accordingly, was not attended by any members of the Australian Delegation.

Workshop D: Successful Strategies in Prevention, Management and Treatment of AIDS Pandemic

2.24 Workshop D was conducted simultaneously with workshops E and F and was not attended by any members of the Delegation.

Workshop E: Parliament and the Right to Know

2.25 All Members of the Australian Delegation attended the workshop on 'Parliament and the Right to Know'.

2.26 Discussion was opened by Ms Charmain Rodrigues of the Commonwealth Human Rights Initiative who noted that only 10 of 53 Commonwealth countries have 'right to know' (freedom of information) legislation.

Ms Rodrigues argued that any such legislation should allow maximum access to government documents with minimum exemptions. Information should be provided by officials within defined time limits and an appeals process should exist for cases when government agencies deny access to documents.

- 2.27 The Delegation noted that Australia and its states and territories already had Freedom of Information (FOI) legislation with the features described by Ms Rodrigues. They and other participants also noted that difficulties arose when access to 'cabinet in confidence' and 'commercial in confidence' documents was allowed under FOI legislation.
- 2.28 The second discussion leader, Mr Rick Stapenhurst of the World Bank Institute focused on two aspects of the 'right to know' – the right of parliaments to have access to information from the executive and the right of the electorate to know what parliaments are doing.
- 2.29 Mr Stapenhurst argued that legislatures could be classed according to three levels of effectiveness: as 'rubber stamps', 'informed' or 'transformative'. Informed legislatures have sufficient information to allow effective scrutiny of government while transformative legislatures have enough information to be fully involved in policy and budget formulation. As part of this latter process, it is important that the information is appropriately analysed so as to be useful to parliamentarians.
- 2.30 Four principles of parliamentary accountability were announced: the need to give media access to parliamentary processes, including committees; providing schedules of committee meetings to the media; encouraging the media to cover committee activities; and the broadcasting of parliamentary proceedings. The Delegation noted that these principles all applied in Australian parliaments.

Workshop F: Protecting Public Health in the Global Village

- 2.31 Workshop F was conducted simultaneously with workshops E and F and was not attended by any members of the Delegation.

General Assembly Meeting

- 2.32 The 50th CPA Conference included the 2004 General Assembly of the Association, the organisation's annual general meeting, which was held on 7 September. The main business for the meeting was the consideration and adoption of the annual report and financial statements of the CPA and the election of office bearers.

Election of Office Bearers

- 2.33 The Hon. Ratu Epeli Nailatikau MP from Fiji was elected as the new President, with the invitation from Fiji to host the 51st CPA Conference in 2005. The Hon. Aminu Bello Masari from the House of Representatives in Nigeria was elected Vice President.
- 2.34 The Hon. Lindiwe Maseko, MPL, from the Assembly of the South African province of Gauteng, was elected Chair of the Commonwealth Women Parliamentarians Group for the next three years. The General Assembly also passed amendments to the Association's constitution to formally recognize the CWP and to include its elected Chair on the CPA Executive Committee.
- 2.35 Ms Kerrie Tucker MLA resigned as regional representative for the Australian region. The South Australian Branch will nominate a replacement, although the person has yet to be determined. Ms Jodeen Carney MLA from the Northern Territory Legislative Assembly will replace the Hon Louise Pratt MLC from the Western Australian Legislative Council as the Australian regional representative on the CWP.

Country Membership and New CPA Region

- 2.36 The CPA Executive Committee announced that Pakistan and its four provinces as well as the Nigerian branches of Kano and Sokoto were readmitted to the CPA.
- 2.37 Organisationally, the CPA has been divided into eight geographic regions (Africa, Asia, Australia, British Islands and the Mediterranean, Canada, Caribbean and the Americas and the Atlantic, Pacific, and South East Asia). The General Assembly adopted a motion to make Asia and India separate regions, thus making a total of nine regions.

Constitutional Amendments

- 2.38 Amendments to the CPA constitution agreed to at the meeting were that :
- regional representatives should be elected for three years (rather than for two *or* three years);
 - the Executive Committee be allowed to assign more regional representatives to its finance subcommittee;
 - the role of regional secretaries be formally recognised in the CPA Constitution;

- procedures for the election of CPA office holders or regional representatives be clarified to require secret ballots only if the election is contested (instead of for all elections); and
- future amendments to the Constitution should require only the 'vote of two thirds of the delegates present and voting' (rather than the votes of two thirds of all delegates).

Australian Delegation - Concluding Comments

- 2.39 The Delegation extends its thanks and appreciation to the parliaments of Canada for their excellent preparation and warm hospitality in hosting the 50th CPA conference.
- 2.40 As mentioned by Australian delegations to previous CPA conferences, this Delegation encourages the organisers of future conferences to develop an agenda and format for discussion that encourages real dialogue between parliamentarians.⁴ The Delegation to the 50th Conference felt that many of the statements from the floor in the plenary sessions and, in fact also in the workshops, were too long and often pre-prepared. The Delegation suggests that the plenary sessions be shorter and that there be smaller numbers in each workshop - possibly by having several workshops on the same topic.
- 2.41 The Conference was a good opportunity for smaller countries and their provinces to interact at an international forum. However, the Delegation was conscious of the costs of hosting such a conference and felt that advances in communication technology have reduced the need to bring people together physically to discuss issues. The Delegation believes that it would be more efficient for the CPA to hold its plenary conferences every two years or, at the very least, to conduct them over fewer days and at a more modest scale. The real work of the CPA is done at the regional and local levels and it is there that the CPA's energy and resources should be focussed.

4 *Report of the Australian Parliamentary Delegation to Sri Lanka and to the 49th Commonwealth Parliamentary Conference, Bangladesh, November 2003, p. 57.*

The United States of America

- 3.1 The following explanatory notes on the US political system and on Australia's relationship with the United States of America (US) have been taken from information provided by the Australian Department of Foreign Affairs and Trade.

The US Political System

- 3.2 The US has a federal political structure comprising 50 states and the District of Columbia. The federal government is characterised by a separation of the powers of the executive from the legislative and judicial functions. The constituent states have significant powers of self-government.
- 3.3 The legislature, Congress, consists of the 100-member Senate and the 435-member House of Representatives. Senators are elected on a state basis and serve six year terms. Representatives are elected from single-member constituencies and serve two year terms. Congress has sole powers of making legislation and operates through a system of committees. Legislation must be approved by both chambers to become law. The president can veto legislation, but can be overridden by two-thirds majorities in both chambers.
- 3.4 Heading the executive is a president elected every four years in a national contest by universal suffrage. Voting is state-based on a first-past-the-post basis. Each state is assigned seats equal to the sum of its electoral representatives in a 538-member electoral college. The president serves as head of state, commander in chief of the armed forces and head of the civil service.

- 3.5 The US has two broad party coalitions, the Democrats and the Republicans. There is an absence of electorally viable third parties. Both parties embrace a wide variety of views and have supporters across the community.
- 3.6 The separation of powers enables members of Congress to vote with their constituents and against their president or dominant party view. Party organisations do not have the ability to nominate and control legislators running and elected under their party, and politics can be very localised.

Recent Political Developments

- 3.7 The Delegation was in North America during the run up to the presidential, congressional and gubernatorial elections to be held on 2 November 2004. The presidential contest was between President George Bush and Massachusetts Senator John Kerry.
- 3.8 In the concurrent congressional elections, all House of Representatives seats and one third of Senate seats were to be contested. During the period of the Delegation's visit the Republicans had a majority in both Houses (Senate 51-48-1 and House 228-206-1). The implications for the President - post election - of the partisan composition of the new Congress were a talking point with many of the analysts that the Delegation met, particularly in Washington.

Australia's Relationship with the United States

Security

- 3.9 At the heart of government relations between Australia and the US is the ANZUS Treaty, signed in 1951. This treaty binds the two countries in mutual cooperation on military and security issues and contains a commitment that both Australia and the US will act to meet common dangers.
- 3.10 Australia was one of the first countries to join the US in its coalition to fight terrorism following the attacks on 11 September 2001. Australia invoked the ANZUS Treaty for the first time on 14 September 2001, and has since made military contributions to the US-led campaigns in Afghanistan and Iraq.

- 3.11 The alliance is the foundation of defence and security cooperation between the two countries. This cooperation increases Australia's ability to protect itself and its interests by providing access to world-leading defence hardware and technologies and to vital intelligence capabilities. Interoperability with US forces and the ability to contribute to multinational coalitions are central to Australia's defence policies, acquisition and training. Such cooperation supports joint efforts against terrorism and the proliferation of weapons of mass destruction.

Trade and Investment

- 3.12 The US is Australia's single most important economic partner. It is, with Japan, one of Australia's two primary trading partners and ahead of all others in terms of two-way services trade and investment flows.
- 3.13 The US has long been Australia's largest source of foreign direct investment. Australia was the 10th largest direct investor in the United States in 2002.
- 3.14 In 2003 Australia exported goods and services worth \$14.2 billion to the US. Australia's exports to the US have become more diversified. Beef is the largest export, but many other products, including wine and telecommunications equipment, have shown strong growth. Australia imported goods and services worth \$26.7 billion from the US in 2003, resulting in a bilateral trade deficit of \$12.5 billion in favour of the US. This deficit reflects in large part Australia's high-technology and manufactured import requirements being sourced from American suppliers.
- 3.15 Australia has a vital interest in US policies on the international economy, trade and investment. Australia has a number of concerns about US trade barriers. Many of these have been addressed in the Australia – United States Free Trade Agreement and Australia will continue to pursue others in the World Trade Organisation. In particular, the size of US farm assistance packages in recent years is of much concern to Australia.

Australia – United States Free Trade Agreement

- 3.16 The negotiation and passage of the Australia-United States Free Trade Agreement (AUSFTA) has been one of the most significant issues in the relationship between Australia and the US in recent years.
- 3.17 When the Agreement comes into force it will create significant new benefits and opportunities for Australian exporters, including:

- elimination of duties on over 97 per cent of US tariff lines for Australia's non-agricultural exports (excluding textiles and clothing);
- improved access for Australian agriculture, with 66 per cent of agricultural tariff lines going to zero from day one and a further 9 per cent cut to zero within four years;
- full access for the first time for Australian goods and services to the \$200 billion market for US federal government procurement; and
- enhanced legal protections that guarantee market access and non-discriminatory treatment for Australian service providers in the US market, with only limited exceptions.¹

Negotiation and Passage of the AUSFTA by Australia

- 3.18 In both Australia and the US, trade agreements are negotiated and signed by government representatives. The two governments then present the agreements to their respective parliaments before the agreements can be ratified. In Australia, Parliament can only review agreements and make recommendations to government, but in the US agreements can be vetoed by Congress.
- 3.19 The AUSFTA was agreed to by the two countries on 8 February 2004 and signed by the Australian Trade Minister, the Hon. Mark Vaile MP and US Trade Representative Robert Zoellick on 18 May 2004.
- 3.20 The Australian Government presented the text of the AUSFTA – subject to legal review for accuracy, clarity and consistency – to the Australian Parliament on 4 March 2004 whereby it was reviewed by the Joint Standing Committee on Treaties. That Committee reported to Parliament on 23 June 2004.²
- 3.21 On that same day, the *US Free Trade Agreement Implementation Bill 2004* and the *US Free Trade Agreement Implementation (Customs Tariff) Bill 2004* were introduced by the Australian Government into the House of Representatives. These Bills were necessary to amend existing statutes in order to implement Australia's obligations under the AUSFTA and thus enable ratification. The former Bill amended 11 Acts, relating to customs,

1 www.dfat.gov.au/trade/negotiations/us_AUSFTA/ausAUSFTA_brochure.pdf (accessed 10 November 2004).

2 Joint Standing Committee on Treaties, *Report 61, The Australia-United States Free Trade Agreement*, June 2004. Given the public interest in the AUSFTA, the Senate also established its own select committee to review the agreement which produced two reports in June and August 2004 respectively – Select Committee on the Free Trade Agreement between Australia and the United States of America, *Interim Report*, 24 June 2004, *Final Report*, 5 August 2004.

agricultural and veterinary chemicals, geographical wine indicators, life insurance, foreign acquisitions and takeovers, Commonwealth authorities and companies, therapeutic goods, patents and copyright. The later Bill amended the *Customs Tariff Act 1995* to vary customs duty for certain goods and to allow regulation making powers.

- 3.22 During consideration of the Bills, the House of Representatives agreed to Senate amendments to the US Free Trade Agreement Implementation Bill. The amendments affected requirements for the local content of television and radio broadcasts in Australia and access to generic brands of medicines through the Pharmaceutical Benefits Scheme. The Senate amendments were ultimately supported by the Australian Government, even though it thought them ‘unnecessary’.³
- 3.23 The Bills, as amended, received Royal Assent on 16 August 2004. From the Australian perspective, the AUSFTA was then ready for ratification.

Negotiation and Passage of the AUSFTA by the United States

- 3.24 In the US too, the AUSFTA could only be ratified after passage of legislation by Congress. However, the *Trade Act 2002* (US) had established the Trade Promotion Authority by which Congress had agreed to only accept or reject, but not amend, trade agreements signed by the President (or his trade representative). When the *United States- Australia Free Trade Agreement Implementation Act 2004* passed both chambers of Congress on 3 August 2004 it had, accordingly, been agreed to without amendment.⁴
- 3.25 It was originally intended that the AUSFTA be implemented in early 2005. During the Delegation’s visit to the US, however, the US Trade Representative had begun reviewing whether the amendments made by the Australian Parliament to the Australian enabling legislation would have any material impact on the terms of the AUSFTA as originally signed.

The Delegation’s Program

- 3.26 The following section of chapter three details the meetings, inspections and visits undertaken by the Delegation in the United States.

3 Minister for Trade, Hon. Mark Vaile MP, *H.R Deb* (12 August 2004), p. 33007.

4 House of Representatives Bill HR 4759, United States Public Law 108-286.

Dallas/Fort Worth

Thursday 9 September 2004

3.27 On 9 September the Delegation travelled from Toronto to Dallas/Fort Worth and was met by Mr Graham Eveille, Counsellor (Defence Material) from the Australian Embassy in Washington. The delegation went directly from the airport to a meeting with Lockheed Martin Aeronautics Co. to discuss the Joint Strike Fighter aircraft program.

Visit to Lockheed Martin

3.28 The Joint Strike Fighter (JSF) is a multi role combat fighter being designed by an international consortium with Lockheed Martin as principal contractor. The United States military will be the largest customer, but a number of other governments, including that of Australia, have committed funds for the further development of the aircraft and its systems. The Australian Government has indicated that the JSF is expected to replace the air combat capabilities provided by the F111 and the F/A-18 currently in RAAF service. However, no commitment has been given to purchase production versions of the aircraft.

3.29 Although prototypes already exist, the aircraft's systems are still being developed and integrated. The Australian Government's commitment to the program, as a 'level three' partner, has allowed Australian companies (as well as the companies of the other nations in the consortium) to tender for the further work on the aircraft before series production commences.⁵

3.30 The Delegation was briefed by the following Lockheed Martin Officials:

- Tom Burbage, Vice President JSF;
- Orville Prins, Vice President, Business Development;
- Michael Cosentino, JSF International Programs Director; and
- Abhay Paranjape, International Program Manager (Australia & Canada).

3.31 After an overview of Lockheed Martin's activities, the design and features of the JSF were explained. Mr Paranjape then described the Australian industry participation in the JSF program. As of September 2004, Australian companies have won US\$130 million in committed and current

5 Nations involved are: the US, the United Kingdom, the Netherlands, Italy, Canada, Denmark, Norway, Turkey and Australia.

contracts. These contracts include those for manufacturing, design and development, electronics & software and training and support.

- 3.32 Lockheed Martin noted that a number of small and medium Australian businesses have won JSF contracts, including: BAE Systems Australia; Calytrix Technologies; Ferra; Hawker De Havilland (Australia); Lovitt Technologies Australia; Marand Precision Engineering; Thales Training and Simulation; Production Parts Pty Ltd; Varley Defence; and GKN Aerospace Engineering Services.
- 3.33 Lockheed Martin has identified another US\$369 million of contracts that Australian companies can bid for, given the Australian government's current commitment to the JSF program. Australian companies have so far also tendered unsuccessfully for US\$202 million in contracts. When Australian companies are unsuccessful, Lockheed Martin briefs the unsuccessful bidders on why they lost contracts. Lockheed Martin noted that several companies that had initially placed unsuccessful tenders are now winning contracts as their tenders increase in sophistication and detail.
- 3.34 The Delegation then inspected the Lockheed Martin factory and observed the production of F-16 aircraft and the tooling jigs for JSF series production.

Friday 10 September 2004

Visit to ExxonMobil Corporation

- 3.35 The Australian subsidiary of the energy company ExxonMobil is one of Australia's largest companies and ranks as the country's top foreign company revenue earner. ExxonMobil Australia has 21 offshore oil and gas production facilities in the Gippsland Basin in Bass Strait and in March 2003 made the biggest gas discovery in Australian exploration history off the Western Australian coast. These reserves, named the 'Jansz' field, are estimated to contain the equivalent of 20 years of Australia's current gas production.
- 3.36 ExxonMobil Australia employs more than 2,500 Australians and has exploration and production operations, a chemicals division, refineries, distribution centres, and over 1,100 retail petrol stations across Australia. The company's major assets include a 50% share in the Jansz gas field, 60% share in the Wandoo gas field; 35% share in the Griffin gas field; 50% share of the Gippsland oil and gas field (including the Longford & Long Island Point processing plants) and the Altona Refinery at Botany Bay.

- 3.37 While in Texas, the Delegation visited ExxonMobil's headquarters in Irving to discuss the company's outlook on world energy demand and supply and ExxonMobil's operations in Australia. The briefing was given by the following officials from ExxonMobil:
- David Bailey, Manager, Government Relations & Issues;
 - Todd Onderdonk, Senior Energy Advisor, Corporate Planning; and
 - Alan Stuckert, Public Affairs manager Gas Marketing Company.
- 3.38 ExxonMobil noted that the greatest factor leading to the increasing demand for energy in the world was economic growth and rising personal incomes and living standards in Asia. ExxonMobil expects that oil, gas, coal and nuclear power generation will still remain the primary energy sources to meet global energy needs until at least 2030. While there will be a substantial increase in the energy production from wind, solar generation and biomass sources (methanol, ethanol, wood), these sources are still unlikely to make a significant contribution to global energy output by 2030.
- 3.39 ExxonMobil warned that global economic growth will be compromised unless energy supply and demand challenges are met. Providing timely and adequate energy supplies is a large scale, long term challenge. However, energy conservation initiatives will assist demand to match supply.
- 3.40 The Delegation then discussed ExxonMobil's operations in Australia. The company explained that it had significantly upgraded the Altona Refinery, but noted that there is currently excess refining capacity in Asia and that Australia has a small market for petrol products and chemicals. However, ExxonMobil is keen to commercialise the North West Shelf gas reserve and also Papua New Guinea's gas resources by piping them to north east Australia.

Meeting with Columnist Ms Lee Cullum

- 3.41 Following its meeting with ExxonMobil, the Delegation met Ms Lee Cullum, a syndicated columnist and television commentator. Her column is published in the *Dallas Morning News* and she appears regularly on the television program 'News Hour with Jim Lehrer' and on public television.
- 3.42 The Delegation was particularly interested in Ms Cullum's assessments of the 2004 presidential candidates – President Bush and Senator Kerry – and the strengths of their respective election campaigns.

- 3.43 Ms Cullum believed that President Bush was likely to be re-elected. She believed that Senator Kerry was probably more aware of the subtleties of public and foreign policy issues than President Bush, but that President Bush was better at expressing his views simply and clearly. Senator Kerry's campaign was also damaged by the 'swiftboat' advertisements on his Vietnam war service and subsequent antiwar activities – which Ms Cullum thought unfair as many people, at the time, had held similar views.
- 3.44 The Delegation asked whether Ms Cullum thought that women and men were likely to vote differently in the forthcoming election. She noted that women tended to vote for Democratic candidates. However, President Bush had been closing the gender gap as women were increasingly seeing security as an important issue and that President Bush would be the best candidate to protect the US. Ms Cullum also noted that Hispanic and African Americans also tended to vote Democrat. The Hispanic vote would be particularly important for the presidential and congressional candidates in Texas, New Mexico and California.
- 3.45 The candidates' ability to draw people out to actually vote would also be a significant factor. Ms Cullum thought that President Bush's ability to mobilise the 'Christian Right' voting block in a country where voting is not compulsory, may provide him a significant electoral advantage.
- 3.46 Ms Cullum also predicted that, if President Bush was re-elected, there was likely to be a significant changeover in his Cabinet.
- 3.47 Following its meeting with Ms Cullum, the Delegation departed Dallas/Forth Worth for Washington. In Washington the Delegation was met by Tanya Smith, Counsellor (Congressional) and Tom Corcoran, Manager Visits, from the Australian Embassy.

Washington, DC

Saturday 11 September 2004

Patriot Day Observance Memorial Wreath-Laying

- 3.48 Patriot Day is the name given to the anniversary of the 11 September 2001 attacks on the United States. The Delegation was invited to attend the 2004 Patriot Day Observance Memorial wreath laying ceremony held in

Arlington National Cemetery. This ceremony honoured all those killed, but particularly those lost in the attack on the Pentagon building.

- 3.49 The Delegation was privileged to sit among the survivors and relatives of the victims of the attack on the Pentagon building. In a short, moving ceremony, the Vice Chairman of the Joint Chiefs of Staff, General Peter Pace and the Secretary of Defense, the Hon Donald Rumsfeld spoke.
- 3.50 Following the ceremony, the Delegation laid a wreath at the Group Marker for the Pentagon victims.
- 3.51 The Delegation then met the Superintendent of the Arlington National Cemetery, Jack Metzler, who explained that there are more than 260,000 people buried within the grounds. Veterans from all the nation's wars are buried there - from the American Revolution through to the Persian Gulf War and Somalia. Pre-Civil War dead were reinterred after 1900.
- 3.52 The Delegation also laid a wreath at the grave of Pilot Officer Francis Milne – the only Australian serviceman buried at Arlington. P/O Milne was killed when the aircraft he was in was shot down in November 1942 in Papua New Guinea. At the time, he was attached to a US Army Air Corps transport unit and his remains could not be identified separately from the remains of a United States serviceman. Subsequently, the remains of the two men were placed in one casket and interned at Arlington National Ceremony.
- 3.53 The Delegation observed the changing of the guard at the Tomb of the Unknowns where three unknown servicemen are buried. The group also visited the graves of President Kennedy and his family and Robert Kennedy.

Visit to National Museum of the American Indian

- 3.54 Upon leaving Arlington National Cemetery, the Delegation was given a pre-opening tour of the National Museum of the American Indian by the museum's Associate Director, Jim Volkert.
- 3.55 The museum is the first national museum in the country dedicated exclusively to American Indians and the first to present all exhibitions from a Native viewpoint. American Indians played a key role in the design of the building and its immediate landscape as well as the exhibitions and public programs.
- 3.56 The five-story curvilinear building is made of rough limestone that evokes natural rock formations and is set in a four-acre landscaped site that includes a wetlands area and 40 boulders.

- 3.57 The Delegation was very impressed with the building and collection and greatly enjoyed a screening in the circular theatrette. The museum opened on 21 September 2004.

Sunday 12 September 2004

Visit to Mount Vernon

- 3.58 On 12 September the Delegation visited the Mount Vernon estate and gardens on the banks of the Potomac River in Virginia. Mount Vernon was home to the first US president, George Washington, for more than 45 years. During those years, Washington enlarged the residence and built up the property from 2,000 to nearly 8,000 acres. Today, roughly 500 acres of the estate are preserved, along with his house, other structures, the tombs of George and Martha Washington and a collection of numerous domestic artefacts.⁶
- 3.59 The delegation was given a tour of the Mount Vernon house and gardens by Sue Keeler, Manager (Visitors).
- 3.60 Mount Vernon is owned and maintained in trust by the Mount Vernon Ladies' Association, a private, non-profit organization founded in 1853. It is directed by a Board of Regents, comprised solely of women, who represent over 30 states. A Board of Advisors of prominent citizens from across the country meets twice a year to provide additional input on Mount Vernon's governance. The estate, gift shops and dining facilities are operated by about 450 paid employees and over 400 volunteers. The Delegation was also impressed to learn that a benefactor had purchased the land on the other side of the Potomac River to ensure that the view from the Estate would remain preserved as wilderness.
- 3.61 While at Mount Vernon, the Delegation laid a wreath at the tombs of George and Martha Washington.

Monday 13 September 2004

Briefing by Australian Embassy

- 3.62 On Monday 13 September the Delegation commenced the day with a briefing by the Australian Ambassador to the US, HE Michael Thawley, at the Australian Embassy. Also at the meeting were:

6 <http://www.mountvernon.org/index.cfm/> (accessed 10 November 2004).

- John Geering, Attache (Defence Intelligence);
 - Patrick Suckling, Counsellor (Political);
 - Adam McCarthy, Counsellor (Commercial);
 - Tanya Smith, Counsellor (Congressional Liaison); and
 - Suzanne Pitson, Treasury representative.
- 3.63 The briefing was to prepare the Delegation for the meetings scheduled in Washington as well as to give a general overview of political developments in the US. The principal topics covered were the forthcoming Presidential and Congressional elections and the AUSFTA.
- 3.64 The Ambassador warned that some in Congress were irritated that Members of the Australian Parliament had been able to amend Australia's AUSFTA enabling legislation. The irritation arose because Members of Congress – bound by the Trade Promotion Authority – had been unable to amend their equivalent US legislation.

Meeting with Staff Director, House Ways and Means Trade Subcommittee

- 3.65 Following its briefing at the Embassy, the Delegation travelled to the Longworth Building on Capitol Hill to meet the Staff Director of the Trade Subcommittee of the House of Representatives Committee on Ways and Means, Ms Angela Ellard.
- 3.66 The Trade Subcommittee oversees and hold hearings to assess the status of negotiations for free trade agreements with countries for which the Administration has notified Congress of its intent to negotiate. In addition, the Subcommittee is responsible for exploring whether other countries may be appropriate candidates for free trade agreements with the US. Finally, the Subcommittee also considers the impact of free trade agreements on multilateral negotiations.
- 3.67 On 16 July 2004, the full Committee on Ways and Means had held a public hearing and published submissions it had received on the AUSFTA.⁷
- 3.68 Ms Ellard echoed the Australian Ambassador's warning that several Members of Congress were frustrated that the Australian Parliament had amended its AUSFTA enabling legislation, while Congress had not been able to do so too. United States officials would now need to assess the implications of the amendments to the Australian legislation which might

7 <http://waysandmeans.house.gov/hearings.asp?formmode=detail&hearing=150> (accessed 10 November 2004).

delay implementation of the Agreement. Ms Ellard warned that the US could find the Australian amendments unacceptable.

- 3.69 The Delegation described the political composition of the Australian Senate and the treaty and trade agreement making process in Australia. The Delegation also explained that the Australian Parliament was not restricted by an equivalent of the Trade Promotion Authority. The Delegation expressed confidence that the Australian amendments would not affect the AUSFTA and that any concerns could be allayed in discussions between trade officials of the two countries.

Working Lunch with Experts on Counter-Terrorism

- 3.70 The Delegation then attended a luncheon hosted by the Ambassador, HE Michael Thawley at the official residence. The theme of the lunch was 'counter-terrorism'. Those also attending the luncheon were:
- William Pope, Principal Deputy Coordinator for Counter-Terrorism at the Office of the Coordinator for Counter-terrorism at the Department of State;
 - Dr Stephen Morris, FPI Visiting Fellow at the Paul H Nitze School of Advanced International Studies at Johns Hopkins University; and
 - Peter Baxter, Deputy Chief of Mission, Australian Embassy.
- 3.71 The discussion covered topics including an assessment of Al-Qaeda's objectives and organisational structure since 11 September 2001; the sources of Al-Qaeda's recruits; and the organisation's activities in the Middle East and South East Asia. Discussion also focussed on the progress of the 'war on terror' generally and the domestic support for the war in the US.

Visit to Federal Election Commission

- 3.72 Following the luncheon, the Delegation visited the Office of the Chairman of the Federal Election Commission (FEC), Bradley Smith.
- 3.73 Mr Smith explained that the FEC is the independent regulatory agency charged with administering and enforcing the federal campaign finance law. The FEC has jurisdiction over the financing of campaigns for the US House of Representatives and Senate, the Presidency and the Vice Presidency. Federal campaign finance law covers three broad subjects, namely:
- public disclosure of funds raised and spent to influence federal elections;

- restrictions on contributions and expenditures made to influence federal elections; and
- public financing of presidential campaigns.

3.74 The *Federal Election Campaign Act (US)* requires candidate committees and party committees to file periodic reports disclosing the money they raise and spend. The Delegation asked how the FEC ensured compliance by political parties with the *Federal Election Campaign Act (US)*. Mr Smith explained that the FEC relied primarily on receiving complaints about violations of the disclosure laws as a means of oversight. Mr Smith assured a sceptical Delegation that candidates and political parties kept a close eye on each other's donations and would be sure to draw the FEC's attention to any suspected secret or illegal donations to their opponents' campaign funds. Mr Smith believes that most violations of the disclosure rules were accidental rather than deliberate.

3.75 Mr Smith also explained that the *Presidential Election Campaign Fund Act (US)* allowed eligible candidates in the Presidential primaries to receive public funds to match the private contributions they raise.

Visit to General Accountability Office

3.76 Next the Delegation visited the General Accountability Office (GAO). The Delegation was met by the following GAO officials who provided a briefing on the role of the Office:

- Paul Posner, Managing Director, Strategic Issues;
- Kate Brentzel, Manager, International Visitors Program; and
- Denise Fantone, the Assistant Director, Strategic Issues.

3.77 The officials began by explaining the political accountability framework in the US, beginning with the separation of the judicial, legislative and executive branches of government. They also described the Congressional oversight committees, and those agencies that support Congress, including the GAO.

3.78 They explained that the GAO is an independent non-partisan legislative branch agency that helps Congress in its responsibilities and also helps improve the performance and accountability of the federal government. The GAO conducts a wide range of financial and performance audits, program reviews and investigations and analyses the efficiency and effectiveness of federal departments.

- 3.79 The Delegation described the role of the Australian National Audit Office (ANAO) and the close relations it enjoyed with the Australian Parliament's Joint Committee of Public Accounts and Audit.
- 3.80 The Delegation also explained that, in Australia, the Independent Auditor was a statutory officer who reviewed the performance of the ANAO. Mr Posner explained that, in the US, the GAO used a process of peer review to assess the quality of its audit reports.

Visit to Office of Family Assistance, Department of Health and Human Services

- 3.81 The Delegation then visited the Department of Health and Human Services and met Dr Wade Horn, the Assistant Secretary for the Administration for Children and Families. Also attending was Grant Collins, the Chief of Staff of the Office of Family Assistance.
- 3.82 Discussion commenced with a description of the Temporary Assistance for Needy Families (TANF) program which was enabled by the *Personal Responsibility and Work Opportunity Reconciliation Act 1996 (US)*. TANF is a federal block grant to the states, worth US\$16.5 billion in 2003.⁸ TANF is designed to promote employment among welfare recipients and the 1996 Act requires minimum levels of work participation in exchange for time limited social security benefits. However, the states have significant flexibility in designing the eligibility criteria and benefit rules for participants. TANF is administered federally by the Office of Family Assistance in the Administration for Children and Families in the Department of Health and Human Services.
- 3.83 Dr Horn explained that previous administrations had considered that increasing education levels was the pathway for people out of poverty and welfare dependency. TANF, on the other hand, is based on the assumption that employment is the most effective way for people to rise out of poverty. TANF provides assistance to help people enter the workforce (such as child care vouchers for single parents) and then provides various training benefits to individuals (or their employers) to help them stay in employment. TANF also allows individuals to contribute to authorised savings accounts and have these contributions discounted for means testing purposes.⁹ As TANF only sets the parameters for the state based welfare programs, the benefit levels and eligibility criteria vary between states.

8 US Department of Health and Human Services (DHHS), *Temporary Assistance for Needy Families Program, Fifth Annual Report to Congress*, 2003, p. 1.1.

9 The accounts can only be used for defined purposes such as to fund post secondary education or a first home purchase.

- 3.84 TANF also focuses on encouraging family cohesion as a means of keeping people out of poverty. TANF research shows that child poverty is reduced if children are brought up in two parent families and within wedlock.¹⁰ TANF funding provides bonuses to those states that introduce successful programs to promote healthy marriages and responsible fatherhood. Such programs also include enforcement measures to ensure parents without custody pay child maintenance.
- 3.85 The Delegation found its discussions with Dr Horn and Mr Collins most thought provoking, particularly as elements of TANF contrasted sharply with the Australian welfare system.

Tuesday 14 September 2004

Meeting with Representatives Jennifer Dunn and Calvin Dooley

- 3.86 The Delegation began a round of briefings with Members of Congress by meeting Representative Jennifer Dunn (R-WA) and Representative Calvin Dooley (D-CA), the Co-Chairs of the Friends of Australia Caucus.
- 3.87 Discussion opened with both Representatives concerned that the Australian Parliament had amended its AUSFTA enabling legislation. They too noted the restrictions placed on Members of Congress by the Trade Promotion Authority and questioned why Members of the Australian Parliament should have such freedom.
- 3.88 The Delegation again explained the role of the Australian Parliament in finalising trade agreements and treaties and expressed confidence that the amendments would not affect the AUSFTA. All participants in the meeting hoped that the concerns could be allayed in discussions between trade officials of the two countries.

Meeting with Representative Dutch Ruppertsberger

- 3.89 The Delegation then met Representative Dutch Ruppertsberger (D-MD), a Member of the House Select Intelligence Committee.
- 3.90 Discussion began with Representative Ruppertsberger giving an overview on terrorism and homeland security. He believed that Al-Qaeda is now being run on a day to day basis by Osama Bin Laden's subordinates. Furthermore, many of terrorism groups loosely affiliated with Al-Qaeda, such as that headed by Abu Musab al-Zarqawi in Iraq are now more radical than Al-Qaeda itself.

10 DHHS, *Temporary Assistance for Needy Families Program*, chapt. 7-9.

- 3.91 Representative Ruppertsberger and the Delegation agreed that it was important that moderate Muslims in the West become more active in order to show the general public the positive side of Islam.
- 3.92 Representative Ruppertsberger shared his concern that the war on terrorism had overshadowed the war on drugs. He believed it inevitable that terrorist groups will become involved in the drugs trade as the profits are so large.
- 3.93 The meeting concluded with the Delegation thanking Representative Ruppertsberger for his assessments and insights into American thinking on these issues.

Working lunch with Political Commentators

- 3.94 The Delegation attended a luncheon organised by the Australian Embassy with the Resident Scholar at the American Enterprise Institute, Norm Ornstein, and, the editor of the *Rothenberg Report*, Stuart Rothenberg.
- 3.95 The discussion was wide ranging with the Delegation asking Mr Ornstein and Mr Rothenberg for their opinions on the likely outcome of the presidential election and on foreign policy issues, including the United States' relations with Asia.
- 3.96 Both experts commented on the rapidly increasing use of postal votes in the US elections. The Delegation observed that it seemed far easier to obtain a postal vote in the US than in Australia. The large number of early pollers in the Presidential campaign was making it difficult to assess the accuracy of pre election polling and thus predict who would be a likely winner.
- 3.97 The Delegation asked their guests about the United States' foreign policy towards China, Taiwan and North Korea. Both conceded that these were not major election issues as the clear campaign focus was on the Middle East and Iraq in particular. However, they agreed that the next President – whoever it might be – was going to have to address the tensions between China and Taiwan and any nuclear ambitions held by North Korea. The Delegation pointed out that the United States' relations with China, Taiwan and North Korea would have a direct impact on Australia and its relations in the Asian region.

Meeting with Representative Jim Gibbons

- 3.98 The Delegation then met Representative Jim Gibbons (R-NV), the Chairman of the Intelligence and Counterterrorism Subcommittee of the Select Committee on Homeland Security.

- 3.99 Representative Gibbons explained the challenges of bringing together a range of agencies into the Office of Homeland Security. While intelligence gathering was still left to the original agencies, they were now required to pool their intelligence assessments within the Office. This was a challenge administratively as the various intelligence and law enforcement agencies had not been used to working closely together.
- 3.100 The Delegation noted the parallels with the administrative challenges of merging government agencies in Australia and the same difficulties in Australia of getting intelligence shared across law enforcement agencies.
- 3.101 After thanking Representative Gibbons for his time and comments, the Delegation visited the office of Senator Lamar Alexander

Meeting with Senator Lamar Alexander

- 3.102 Unfortunately Senator Alexander (R-TN) was called to attend a vote in the Chamber and was unable to meet the Delegation. He later sent his apologies and expressed his disappointment at missing the meeting.
- 3.103 However his Legislative Assistant, Matt Sonnesyn explained that Senator Alexander was particularly interested in education issues and the United States' foreign policy with Africa, China and Japan. Mr Sonnesyn also noted that Senator Alexander had voted for the AUSFTA as it was 'good economic sense' and supporting an ally.
- 3.104 Mr Sonnesyn described some of the public issues of importance in Senator Alexander's home state of Tennessee. He noted that Senator Alexander had been instrumental in building up the state's car manufacturing capacity.

Meeting with Representative Jim Leach

- 3.105 The Delegation then met Representative Jim Leach (R-IA) who is the Chairman of the Asia and the Pacific Subcommittee of the House International Relations Committee.
- 3.106 Representative Leach welcomed the Delegation and gave a brief overview of foreign policy issues facing the United States. He noted that the situation in Iraq dominated US thoughts and that it was indeed fortunate that Muslims in South East Asia were not more radical than they were.
- 3.107 Following questions from the Delegation, he noted that China clearly saw Taiwan as part of China and that any moves to greater independence by Taiwan would have very serious ramifications. He was concerned that

many in the United States were not aware of the seriousness of the issue, despite the fact that US-Chinese relations were 'pretty good'.

- 3.108 Representative Leach and the Delegation concluded their meeting by discussing the dangers associated with North Korea building long range nuclear weapons and agreed that this was an emerging threat.

San Francisco

Wednesday 15 September 2004

- 3.109 On 15 September, the Delegation left Washington and travelled to San Francisco where it was met by the Australia's Senior Trade Commissioner and Consul General, Peter Frank, and the Consular and Information Services Manager, Angela Lowrey.

Inspection of University of California Mission Bay Biotechnology Centre

- 3.110 The Delegation travelled straight from the airport to view the University of California - San Francisco's (UCSF) Mission Bay biotechnology facility. The Delegation was met by Val Dougherty, the Assistant to Vice Dean Keith Yamamoto. Professor Yamamoto is Chairman of the Department of Cellular & Molecular Pharmacology and Vice Dean for Research for the Medical School at UCSF. The Delegation was also joined by Austrade's Senior Business Development Manager for Life Sciences, Olivia Jenq.
- 3.111 Ms Dougherty explained that the facility is being developed to allow pure research in biology, molecular biology and biotechnology by doctorate and post doctorate students. The facility is funded by a mix of state and federal money and private sponsorship. Ms Dougherty explained that nearly 70% of the US biotechnology industry is located in the San Francisco Bay area.
- 3.112 While UCSF will own the intellectual property created at Mission Bay, researchers will be seeking collaboration with the biotechnology industry and venture capitalists to commercialise any discoveries. The University has 'very good lawyers' who are used to dealing with venture capitalists as there is substantial venture capital available in the region.

Visit to IBM Healthcare and Life Sciences

- 3.113 Following its visit to Mission Bay, the Delegation visited IBM's Healthcare and Life Sciences office for an overview of the biotechnology sector on the

US West Coast and the role of IBM's Healthcare and Life Sciences Division. The briefing was led by Matthew Levy, the Divisions Global Partnering Executive and Denise Ruffner, the Division's Bioscience Executive for the Americas. Also attending the meeting was the Vice President of Business Development for the private company CBIO Ltd, Richard Willis.

- 3.114 Mr Levy explained that IBM had become involved in the Healthcare and Life Sciences industries because these industries created vast amounts of data that needed managing. Such data ranged from medical information held on individuals in several places; to the raw data for epidemiological studies to the codes of information gained in genome sequencing. IBM has substantial intellectual property for managing, storing and interpreting large data sets.
- 3.115 As an example, Mr Willis explained that his company was involved in developing autoimmune and anti inflammatory therapeutics in, among other places Australia. IBM had digitised CBIO's records and reduced the cost of its drug trials by 30 percent.
- 3.116 IBM explained that one of the keys to making the healthcare system more efficient was to digitise patient information so that it could be easily shared between health professionals. The challenge facing IBM was how to allow the data to be easily shared while, at the same time, protecting patient privacy.

Thursday 16 September 2004

Working Breakfast with Australian-American Chamber of Commerce

- 3.117 The Delegation's first meeting on 16 September was over breakfast with the Australian-American Chamber of Commerce. The breakfast afforded the Delegation an opportunity to mix informally with Australians working in the San Francisco area. Those attending the breakfast also pressed the Members of the Delegation for their prognoses for the 9 October general election in Australia.

Meeting with Professor Yamamoto, UCSF

- 3.118 The Delegation then went to UCSF's Parnassus Campus to meet Professor Keith Yamamoto. The Delegation began by expressing how impressed it had been with the Mission Bay Biotechnology Centre visited the day before.

- 3.119 The Delegation asked Prof Yamamoto about the state of human embryonic stem cell research in the US. He observed that, while private sources saw the benefits of funding human embryonic stem cell research, the Federal government was seeking to restrict such work. Prof Yamamoto was pinning his hopes on a Californian state referendum initiative ('Proposition 71') to inject US\$300 million raised on the bond market into human embryonic stem cell research over the next 10 years.
- 3.120 One of the consequences of the Federal Government's restrictions on this research was that young scientists did not want to make a career in human embryonic stem cell work in case it is subsequently made illegal.
- 3.121 Prof Yamamoto said that one of the challenges for human embryonic stem cell researchers was to discover how to replicate stem cells and then how to use them in disease treatment (primarily for neurological diseases like Alzheimer's Disease and Parkinson's Disease).

Meeting with Dr Arturo Alvarez-Buylla, UCSF

- 3.122 Following its brief meeting with Prof Yamamoto, the Delegation met one of his researchers, Dr Arturo Alvarez-Buylla.
- 3.123 Dr Alvarez-Buylla warned that the public should not be misled into expecting practical benefits from human embryonic stem cell research in the immediate future. In medical research, it can take between 20 and 30 years from first discovery to a practical application. Progress towards developing applications from human embryonic stem cell research will depend on the number of pure and applied researchers in the field and the quality of their work.

Working Lunch with Australian Companies Exporting to the United States

- 3.124 The Delegation was then hosted at a working lunch by MinterEllison with representatives from a number of small Australian companies that have entered the US market. Those attending were:
- Jeffrey Sims, MinterEllison;
 - Patrick Ryan, President, Reino Parking Systems Inc (manufacturer of parking meters);
 - Andrew Roberts, CEO, Ephox Corp (software integration services); and
 - Peter Moller, Business Development Manager North America, Agrilink International (manufacturer of soil moisture sensors).

- 3.125 Also attending were Peter Frank from Austrade and Michelle Pflaum, the Senior Business Development Manager IT also with Austrade.
- 3.126 The Delegation asked what were the difficulties and challenges facing Australian companies that wished to expand into US markets. All stressed the importance of thoroughly researching the market and of engaging US based legal and financial advice. All spoke highly of Austrade's assistance. They also recommended Austrade's mentoring system whereby companies just entering the US market could draw on the experience and lessons of those that were already successful.
- 3.127 Several also pointed out the benefits of merging with or acquiring US companies as a mechanism of entering the market. Several were critical, however, of US immigration laws that made it difficult for Australians to stay and work in the US.
- 3.128 The Delegation thanked those who had participated in the most interesting lunch. The Delegation was impressed with the approach of the companies, the quality of their products and their success in finding niches in the US market. The Delegation also thanked MinterEllison for very generously hosting the lunch and providing the venue.

Visit to Yahoo! Inc

- 3.129 Following lunch, the Delegation travelled to Sunnyvale ('Silicon Valley'), south of San Francisco to visit the headquarters of Yahoo! Inc. There the Delegation was met by Jon Schwartz, the Head of International Sales and Markus Barnikel, Senior Manager, International Marketing and Sales Development.
- 3.130 As well as providing a tour of their buildings, the two briefed the Delegation on trends in internet use and on some of Yahoo!'s products.
- 3.131 Mr Schwartz began by noting that, in Australia alone, there had been a 45% growth in weekly internet use in the last three years and that 85% of Australian 14-17 year olds have online access. When online, 90% of Australians use email, 80% use the internet to gain information (such as through search engines) and 50% shop or pay bills. Over 2 million Australian's have access to broadband internet services.
- 3.132 Mr Schwartz noted that, in the US, advertising expenditure is now being spent on internet advertising at the expense of television and radio advertising. He predicted that this will have a significant impact on free-to-air television and radio services in the future.

- 3.133 Messers Schwartz and Barnikel described the range of Yahoo!'s free and pay services available through their site, including: search facilities, email, instant messaging, music and video downloading and anti spam and anti spyware facilities. They agreed that spam and spyware are the 'scourges of the internet'.

Attendance at Presentation at Meeting of Advance (Australian Professionals in America)

- 3.134 While in Silicon Valley, the Delegation attended a talk on 'Succeeding in the US, an Australian Perspective' being given to the San Francisco Branch of 'Advance' at Stanford University. The talk was given by the Dean of Stanford's Graduate School and former CEO of Westpac, Bob Joss.
- 3.135 Advance is a network of Australian professionals in America providing mentoring, networking and professional development opportunities to fellow Australians. Advance engages eminent and emerging Australians in the US and creates links with Australia in business, arts and culture, science, research and public affairs.¹¹
- 3.136 Mr Joss was 'interviewed' by Lincoln Parker of Invest Australia and asked about his experiences as an American coming to Westpac as its new CEO and the management lessons he had learnt as he made the bank profitable.
- 3.137 Mr Joss explained that he drew on his experiences as a senior executive with the Wells Fargo Bank. He focussed on opening up senior management positions in Westpac to females and decentralised authority to more junior managers.
- 3.138 The Delegation thoroughly enjoyed the talk and the opportunity to mix with Australian professionals working in the San Francisco area.

Friday 17 September 2004

- 3.139 On its final day in the US, the Delegation travelled to the Napa/Sonoma wine region to the north of San Francisco.

Visit to Southcorp Wines

- 3.140 The Delegation's first meeting was with John Gay, Chairman Emeritus of Southcorp Americas and Liz O'Connell, Southcorp America's Manager of VIP Communications and Public Relations. Southcorp is the largest exporter of Australian wines into the US.

11 See www.advance.org (accessed 10 November 2004).

- 3.141 Mr Gay began by briefing the Delegation on Southcorp's contribution to the wine industry and the success of Australian wines in the US market. He explained that importers provided 26% of all wine drunk in the US and that Australia was the biggest exporter providing three percent of all wine sold in the United States.
- 3.142 He noted that 20% of wine drinkers in the US drink 80% of the wine consumed and that the average wine drinker in the US was 46 years old. Most wine drunk is with meals. The key for companies wishing to expand sales in America is to increase the buyer base. As a result Southcorp is introducing an Australian produced wine called 'Little Penguin' that is only to be sold in the US. It is marketed to younger people, is slightly sweeter than most wines, has a bright label and is designed to be drunk with or without food.
- 3.143 The meeting concluded with the Delegation having an opportunity to talk with members of the Steering Committee of the Australian Wine Exporters' Council which was also meeting at Southcorp.

Visit to Beringer Blass Wine Estates

- 3.144 The Delegation then visited the Beringer Blass Wine Estates in the Napa Valley. Originally the Australian company Wolf Blass, Beringer Blass is now part of the Fosters Group and owns vineyards in Australia, Italy, New Zealand and the US. The Delegation's visit to the Beringer vineyards began with an inspection of the historic cellars and a review of the vineyards' history.
- 3.145 The Delegation was then briefed by the Senior Vice President, Sales and Marketing for Beringer Blass, Bruce Herman, on the company's products. Mr Herman then invited the Delegation to taste some of the vineyard's premium wines over a lunch hosted by Beringer Blass. Mr Herman was thanked for his warm hospitality and the informative tour of the winery's facilities.
- 3.146 The Delegation then returned to San Francisco before departing the US for Australia several hours later.

Visit to San Francisco - Concluding Comments

- 3.147 The Delegation was very impressed with the activity and success shown by Australian companies in the United States market. It is also pleasing to note the strong networks of Australian professionals and business people, certainly in the San Francisco area of the United States at least. These expatriates do credit to their country of origin and they bode well for

Australia's increased participation in the United States economy under the AUSFTA.

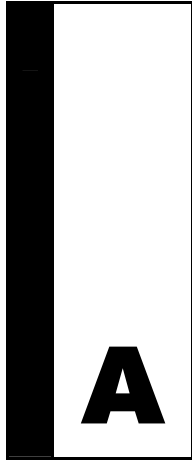
- 3.148 The Delegation was also impressed with Austrade's level of activity in the San Francisco area and encourages future parliamentary delegations, if in America, to see first hand the Australian business and professional initiatives in the region.

Senator John Hogg

Senator for Queensland

Delegation Leader

November 2004



Appendix A — Program, Visit to United States

Thursday 9 September 2004

- 0950 Arrive Dallas/Fort Worth airport, Texas
- 1245 Visit Lockheed Martin Aeronautical, Irving
- 1630 Depart for hotel

Friday 10 September 2004

- 0830 Visit ExxonMobil, Irving
- 1030 Meet Ms Lee Cullum, columnist, Dallas
- 1130 Depart for Dallas/Fort Worth airport
- 1400 Depart Dallas
- 1900 Arrive Washington, DC

Saturday 11 September 2004

- 0900 Patriot Day Observance Memorial Wreath Laying
- 1030 Tour of Arlington National Cemetery
- 1130 Visit National Museum of the American Indian
- 1230 Private arrangements

Sunday 12 September 2004

- 1215 Visit Mount Vernon, West Virginia
- 1530 Return to Washington
- 1600 Private arrangements

Monday 13 September 2004

- 0930 Briefing, Australian Embassy
- 1100 Meet Angela Ellard, Staff Director, House Ways and Means Trade Subcommittee
- 1215 Working Lunch on the theme of Counter-terrorism
- 1400 Meet Bradley Smith, Chairman, Federal Election Commission
- 1510 Visit General Accountability Office
- 1630 Meet Dr Wade Horn, Assistant Secretary, Administration for Children and Families, Department of Health and Human Services
- 1730 Return to hotel

Tuesday 14 September 2004

- 0930 Meet Representative Jennifer Dunn and Representative Calvin Dooley
- 1030 Meet Representative Dutch Ruppersberger
- 1130 Working lunch with political commentators
- 1330 Meet Representative Jim Gibbons
- 1445 Meet Senator Lamar Alexander
- 1530 Meet Representative Jim Leach
- 1600 Return to hotel

Wednesday 15 September 2004

- 0815 Travel to Dulles International Airport
- 1020 Depart Washington

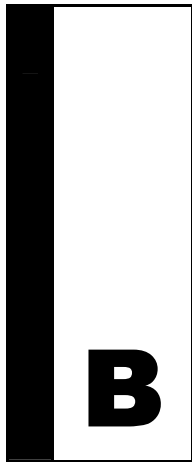
- 1315 Arrive San Francisco, California
- 1500 Visit University of California – San Francisco (UCSF) Mission Bay biotechnology facility
- 1630 Visit IBM Healthcare and Life Sciences
- 1730 Return to hotel

Thursday 16 September 2004

- 0730 Working breakfast with Australian American Chamber of Commerce
- 1000 Travel to UCSF Parnassus Campus
- 1030 Meet Professor Keith Yamamoto and colleagues, UCSF, Parnassus Campus, Medical Sciences Building
- 1230 Working Lunch on the theme of the US IT sector through Australian eyes
- 1400 Depart for Sunnyvale
- 1530 Visit Yahoo! Inc
- 1800 Meet Bob Joss, Dean of Stanford Graduate School, Stanford University
- 1900 Return to San Francisco

Friday 17 September 2004

- 0815 Depart for Napa Valley/Sonoma
- 0930 Visit Southcorp Wines The Americas
- 1130 Visit Beringer Blass Wine Estates
- 1400 Return to San Francisco
- 1630 Senator and Mrs Tchen depart hotel to airport for return to Australia
- 2000 Depart hotel to airport for return to Australia



Appendix B — Speech by Delegation Leader to CPA

The following is a copy of the speech by Delegation Leader Senator Hogg to a plenary session of the 50th Commonwealth Parliamentary Association Conference in Quebec, Canada on Saturday 4 September 2004. . The Plenary Session was on the topic ‘The Commonwealth Plan of Action for Gender Equality 2005-2015 – the Role of Parliamentarians’ and Senator Hogg was asked to speak on the topic ‘Gender, democracy, peace and conflict’.

“It is a great honour to be asked to address this plenary session on the Commonwealth Plan of Action for Gender Equality 2005-2015. I will be focussing on the topic Gender, democracy, peace and conflict.

I know there are many very eminent women in the audience who could give their own perspective on this very important topic and I hope they will do so during the question time. Nonetheless, I hope my comments as a male parliamentarian can contribute in some small way to the debate.

‘Democracy’ is a collective term for regimes that conform to the general concept of ‘government *of* the people, *by* the people, *for* the people’. Thus, a democratic government is one in which political power is based on the will of the people, and which provides all citizens the opportunity to participate equally in the political life of their societies. The bottom line for this participation is universal suffrage.

Those of us from nations where full womanhood suffrage is taken for granted should not lose sight of the fact that there are still countries where female franchise is non-existent or limited. We should use any influence we have to redress this injustice. Only when women have attained that most basic of

democratic rights, the right to vote, can they aspire to become political representatives, and to achieve positions of political influence in their societies.

As our legislatures represent the clearest manifestation of the will of the people, it is important that their members, as far as possible, represent all those in our societies. In this way, we increase the likelihood that our governments—and their enacted laws—enjoy widespread recognition and acceptance.

The participation of women in our democracies—and their representation on the frontline of democracy, in our parliaments—is essential to this process. In fact, given that women constitute more than half the population, their participation in political, social and economic affairs is an essential part of the democratic ideal. I believe strongly that women should be able to influence the decisions that affect their lives and those of their families.

The CPA's Commonwealth Plan of Action for Gender Equality has endorsed a target of no less than 30 per cent of women in decision-making in parliament and local government. Some countries have achieved this target, but in other countries it will take longer.

In fact, in my own country, Australia, we are almost there—as at August 2004, nearly 30 per cent of our politicians at federal and state level combined are women.

It has been suggested that one way to achieve the Commonwealth's 30 per cent target is to encourage political parties to endorse women as candidates in at least 30 percent of elections for political office. In Australia, my own party, the Australian Labor Party, has sought to achieve some level of gender equity in its parliamentary representation by adopting a policy that, by 2012, at least 40% of candidates preselected for election in winnable seats should be women, and at least 40% should be men. Affirmative action such as the enforcement of quotas can go some way towards redressing the imbalance in the representation of women.

What of the roles of women within our parliaments? Are they permitted to participate as fully as men, particularly in the attainment of leadership roles?

There are some splendid examples of women leaders among Commonwealth countries, but, for example, in my own country, there have been relatively few in Cabinet, and never a female Prime Minister, or Deputy Prime Minister. Nonetheless, the former President of the Australian Senate, the Hon. Margaret Reid, known to many here, was the first female President of our Senate.

Women politicians have often not played a prominent role in the highest of national duties, negotiations for peace and the resolution of international conflict. These issues are at the forefront of peoples' minds in many countries today. In many places, resolving conflicts is *the* most pressing issue facing national parliaments and international bodies.

The notion that women should have a significant role to play in peace and conflict resolution is not new. It is an extension of the broader aspiration that women should be active at all levels of political decision-making. To me, it seems especially important now, given the increased international awareness of security issues and the fact that some of the world's conflicts have become intergenerational in duration.

While the burden of conflict is often shared by all members of society, I know that it is often the male leaders of the warring parties who negotiate an end to war and the foundations for peace. I know that women are often shut out of these processes and their views and concerns overlooked. This can be especially so when peace talks focus on how power is to be divided and spoils shared, rather than on how shattered societies are to be rebuilt.

I appreciate that, in many societies, it is and will be difficult for women to take leading roles in conflict resolution. However, this is unfortunate in a very practical sense. Women may have original and practical solutions for conflict resolution and the processes should not be impoverished by their exclusion.

Furthermore, research supports claims that women are more collaborative than men and thus more inclined towards consensus and compromise. Women also tend to see peace in different ways than men, focusing on the meeting of human security needs and combining political issues with economic, personal, community, health, and environmental issues. If only we can harness these different approaches, then I suspect many conflicts could see more speedy settlement.

Let us be realistic, women negotiators - like their male counterparts - might not necessarily reflect the views and concerns of all those in their community. They may be divided along the same political, racial and ideological lines as their men folk. However, those women who have had active roles in holding together their communities in times of conflict can bring to the table a practical understanding of the challenges that civilian populations face as well as approaches and strategies to address such challenges.

A key element to peace making, then, is to encourage societies to address the barriers that, in many cases, confine women to the sidelines. These barriers include:

- traditional practices that inhibit women from participating in political or public decision making processes;
- poverty that does not allow women time away from the struggle for their families' existence; and
- the absence of social infrastructure – such as access to education - that does not allow women the skills to participate in the political process.

We can also try to encourage governments to ensure that peace-keeping forces and operations include women.

Australia has taken this approach where we have been asked to assist our Pacific neighbours. Recently, the Australian armed forces whilst serving as peacekeepers in East Timor and Bougainville included women. These women found that local women wanted to talk to them about their problems and about what they saw as the real priorities for East Timor or Bougainville—not only peace, but education, health care and jobs.

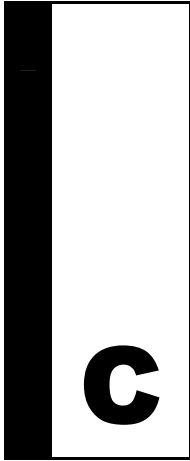
In May 2003, an Australian parliamentary committee, of which I was a member, inquired into Australia's relations with PNG and our south-west Pacific neighbours. We noted in our report to the Australian Parliament that it was important for development programmes to address the needs of women and to empower women. This could be done through increased access to information and the promotion of their active involvement in leadership, decision-making and politics.

We recommended that Australia's aid program develop mechanisms to support the increased involvement of women in the aid program and that it reward those projects that demonstrably involve women.

I want to conclude my speech by stressing the need to respect human dignity. In my first speech in the Australian Senate, I noted that democracy is founded on the principle of mutual respect and dignity. I also made it clear in my speech that my primary political concerns were for those who were poor, who did not have any power, or who were otherwise disadvantaged.

The struggle to preserve the dignity of the individual and to help those who are disadvantaged and without power leads us inevitably to a concern with the place of women in society. The participation of women in formal decision making processes—and their representation on the frontline of democracy, in our parliaments—is essential to ensuring that women are treated with dignity and as equal members of society.

In the context of my topic, respecting the contribution that women can make to conflict resolution will contribute to both peace and the creation of just societies.“



Appendix C — CPA Workshop Reports

The following documents are the synopses of discussion at the six workshops held at the Commonwealth Parliamentary Association's (CPA) 50th Conference. The synopses were prepared by the CPA.

The workshop discussion topics were:

- Workshop A: 'Commonwealth standards for democratic legislatures and the Commonwealth principles on the accountability of and relationship between the three branches of government';
- Workshop B: 'An integrated strategy to combat racism, discrimination, xenophobia and related intolerance';
- Workshop C: 'Parliament and civil society working together for poverty reduction';
- Workshop D: 'Successful strategies in prevention, management and treatment of the AIDS pandemic';
- Workshop E: 'Parliament and the right to know'; and
- Workshop F: 'Protecting public health in the global village'.

Report for Workshop A:

Commonwealth Standards for Democratic Legislatures
and the Commonwealth Principles on the Accountability of and the Relationship
Between the Three Branches of Government

- Moderator: K. Scott Hubli, Director of Governance Programs, National Democratic Institute for International Affairs
- Discussion Leaders: Betty Mould-Iddrisu, Director of the Constitutional and Legal Division, Commonwealth Secretariat
- Robert Miller, Director, Canadian Parliamentary Centre
- Rapporteur: Pedro Eastmond, Acting Clerk of Parliament, Barbados

Betty Mould-Iddrisu led off the discussion by providing an overview of the Commonwealth Principles on the Accountability of, and the Relationship Between, the Three Branches of Government (the Commonwealth Principles), which was, in turn, based on an earlier document – the Latimer House Guidelines on Parliamentary Supremacy and the Independence of the Judiciary (the Latimer House Guidelines). The Latimer House Guidelines were prepared in June of 1998, as the result of a unique collaboration of the Commonwealth Parliamentary Association, the Commonwealth Magistrates’ and Judges’ Associations, the Commonwealth Lawyers Association, and the Commonwealth Legal Education Association. These Latimer House Guidelines formed the basis of the Commonwealth Principles, which were adopted by the Commonwealth Heads of Government in its Abuja Communiqué of December 2003.

Ms. Mould-Iddrisu noted that the historic nature of the Commonwealth Principles and provided a brief overview of the main elements of these principles. The Commonwealth Principles cover a range of topics, including the relationship between the parliament and the judiciary, the independence of parliamentarians, ethical governance, accountability mechanisms, the law-making process, oversight of the government and the role of certain non-judicial and non-parliamentary institutions. She also referred participants to Data Papers 1, 2 and 3, for the text of the Commonwealth Principles, and

papers discussing them. Ms. Mould-Iddrisu lamented one aspect of the Commonwealth Principles – namely that they do not yet provide an effective framework for implementation. Nonetheless, Ms. Mould-Iddrisu noted that these guidelines were an embodiment of the firm commitment of the Commonwealth nations to certain core values and principles – particularly those relating to democracy and the rule of law. Among the fundamental values of the Commonwealth that Ms. Iddrisu noted were a respect for diversity and human dignity and opposition to all forms of discrimination; adherence to democracy, the rule of law, good governance and human rights; and the elimination of poverty.

Ms. Mould-Iddrisu pointed to the relationship of Parliament and the Judiciary and the inherently difficult process of respecting both Parliament’s responsibility for law-making and judiciary’s responsibilities of interpretation and application. She made the point that the judiciary must be seen as manifestly executing this function without political influence. She also emphasized the provisions of the Commonwealth Principles that deal with accountability – citing the goal of zero tolerance of corruption, which is necessary to enhance transparency and accountability.

Mr. Robert Miller’s presentation focused on the need to move from declarations to implementation and monitoring of these commitments. He noted that, although parliamentarians are ultimately accountable to the voters; the performance of parliament as an institution is not necessarily subject to the same level of accountability. He focused on the need to develop measures of parliamentary performance – and that citizens were no longer merely satisfied with declarations, but wanted a means to evaluate the performance of parliaments with respect to all of the main aspects of parliamentary activity. He noted the main parliamentary roles of legislation, oversight and representation, but also stressed the area of budgeting and resource allocation as one area of immense importance. Mr. Miller reviewed a methodology developed by the Parliamentary Centre for monitoring parliamentary performance – a type of parliamentary “report card” which include information on the level and range of activity, the openness and transparency of the activity, participation, accountability, policy and program impact. He noted that information on this methodology was available on the Parliamentary Centre’s website.

Interventions from the workshop participants were wide-ranging and varied. Hon. Mark Parent, Member of the House of Assembly in Nova Scotia, noted that the judiciary can, on occasion, move away from the role of interpretation of law to the formulation of law, and sought clarification on how the Commonwealth Principles addressed this issue. Ms. Mould-Iddrisu noted that public perceptions of an independent and impartial judiciary are critical and that judicial review of laws should be based solely on whether a law is inconsistent with the Constitution and not because of any political colouring. It was also noted that because of the need to protect public perceptions of an impartial judiciary, it was important that there be no politicization of the appointment process. The issue of appointments of the judiciary was also raised by a number of other participants in the workshop, including Sue Barnes, a member of the House of Commons in Canada.

Dr. Elizabeth Magano Amukugo, Member of Parliament from Namibia, referred to the Commonwealth Principles on accountability, and asked about their applicability to a situation where members of the government constitute the majority in parliament, and there is a limited number of backbenchers and opposition to hold the government accountable. Panelists raised a number of points in response to this question, noting that there were democratic legislatures that had a strong one-party dominance, but that it is important that rules of the game not overly advantage one party. A number of other panelists picked up on the role of party discipline, and noting that this can sometimes be more important than the formal rules that govern behavior within parliament, and that sometimes strong party discipline can effectively limit the formal rights of individual parliamentarians granted in the rules – particularly when the interests of parties were placed above the interests of the country or of a member’s constituency.

An interesting point was made by Senator Michael Vibert, who raised the issue of declining voter turn-out, and suggested that perhaps opportunities for citizen input in the law-making process might actually reduce the incentives for individuals to vote. In response, it was noted by Mr. Miller that persons who took advantage of opportunities to provide input to MPs were also often those individuals who were most likely to vote. He also noted that many individuals were not satisfied simply to vote at election time. Mr. Hubli noted that there is perhaps a general trend from participation through political parties at elections toward greater participation in policy-making in between elections

through other types of civil society organizations. A number of other participants, including Hon. Shri Ravi Shankar Prasad, noted the fatigue of some citizens with the democratic process and the need to address the issue of public cynicism.

Hon. Daniel Turp, M.N.A. from Quebec, raised the issue of parliamentary involvement in treaties and that it was important for parliament to be engaged in these issues, particularly in light of the greater role given to international organizations in a globalized world. He stressed that parliamentary involvement was particularly important with respect to treaties that had far-reaching consequences and had a long-term effect, such as trade and human rights treaties. Reference was made to Security Council Resolution 1373 and that this called upon governments to take certain actions to combat terrorism, including the enactment of legislation by parliament to give effect to the resolution. There was strong support among many of the participants for greater parliamentary involvement in this area. Ms. Betty Mould-Iddrisu noted the provisions of the Commonwealth Principles dealing with the law-making process. Mr. Miller also noted trends toward greater parliamentary involvement in issues relating to the World Bank and the IMF, and that these institutions are more willing to engage with parliamentarians.

A point was made by Hon. Russell MacKinnon, Deputy Speaker of the House of Assembly in Nova Scotia, who noted that certain “developed” democracies may have a credibility issue with respect to the promotion of accountability within the context of international standards. He cited the Global Organization for Parliamentarians Against Corruption (GOPAC) and its funding from Canada and the United States -- countries that are not themselves immune to corruption. Although Mr. Miller agreed with the general point that developed democracies must also address the issue of corruption, Mr. Miller clarified that, to date, GOPAC has not received funding from the US, and that Canada has been the principle donor.

Hon. Felix Owusu-Adjapong noted that, while the roles of parliament and the judiciary were important, the role of the mass media is also critical. He noted that media that is government-controlled or government-biased can weaken democratic systems, and questioned what the Commonwealth was doing with respect to guaranteeing a free media. Ms. Mould-Iddrisu cited Article IX (b) of the Commonwealth Principles, which states

that, “government’s transparency and accountability is promoted by an independent and vibrant media, which is responsible, objective and impartial and which is protected by law in its freedom to report and comment on public affairs.” Mr. Hubli also noted that the Commonwealth Parliamentary Association has developed “Guidelines for an Informed Democracy” that underscore the crucial role of the media and its relationship with parliament.

Hon. Tawar Umbi Wada, Senator from Nigeria, referred to the principle of independence of parliamentarians contained in the Commonwealth Principles and noted that this presupposed the independence of parliament as an institution. He cited the issue of parliamentary control over its budget, and noted that funds that were appropriated by the National Assembly still had to be disbursed by the executive, and that this could be used to pressure parliament. A number of participants also noted the importance of sufficient parliamentary resources and that disbursement of funds that are appropriated to parliament should not be used by the executive to exert influence over parliament. Mr. Miller noted the role of the Board of Internal Economy in Canada in deciding on issues relating to the parliamentary budget.

Senator Raza Muhammad Raza from Pakistan raised the issue of minimum standards and the role of the military. Ms. Mould-Iddrisu described the re-admittance of Pakistan and the reasons for this decision. She also noted that the Commonwealth continued to monitor the application of the rule of law and democratic processes in Pakistan. Mr. Hubli noted that there may be a role for standards dealing with oversight of the security sector and the armed forces, and cited the useful handbook produced by the Democratic Control of the Armed Forces (DCAF) based in Geneva.

The Hon. Dato Sri Mohamad Asfia Nassar, Speaker of the Sarawak Legislative Assembly in Malaysia, asked whether minimum standards could promote legitimacy of parliamentary institutions, or whether this ultimately came from “the street” and the citizens that parliament represents. Mr. Miller noted that the role of parliament should be to provide an effective forum for political discourse so that matters are not resolved on the street. Mr. Hubli noted that standards for parliaments, like standards for elections, can play an important role in framing the terms of reference for determining whether a parliament or elections are credible.

A number of other useful contributions were made to the discussion by participants, including Hon. Khondkar Delwar Hossain, Chief Whip of the Bangladesh; Senator George Prime of Grenada; and Hon. Alban Bagbin, the Minority Leader from Ghana.

**AN INTEGRATED STRATEGY TO COMBAT RACISM, DISCRIMINATION,
XENOPHOBIA AND RELATED INTOLERANCE**

REPORT FROM WORKSHOP B

Moderator:	Mr Serguei Lazarev, UNESCO
Discussion Leaders:	Ms Sarmite Bulte, MP, Canada Shri K. Rahman Khan, MP India
Rapporteur:	Ms Robin-Eleanor Adams, Norfolk Island
Session Secretary:	Mrs Rabi Ada Audu
CPA Secretariat:	Mr Nicholas Bouchet

“Change your Attitude.....”

The general consensus of the speakers at the workshop on racism, discrimination, xenophobia and related intolerance was for the need for the implementation of an integrated attitude towards a strategy to combat racism, discrimination, xenophobia and related intolerance at all levels including parliamentary, national and international.

“How to achieve a change in Attitude”

Education of the global community is the key to achieving a change in attitude starting in our homes, in our schools, with our media, in our parliaments and in our international organizations, complemented by the self introspection of all parliamentarians who, as legislators, should provide leadership on these issues.

Delegates concluded that there was a requirement to strengthen the role of the United Nations and in particular to enhance the capacity of UNESCO in the further conduct of its existing programme of action to fight discrimination. The breakdown of the apartheid system was cited as an example of the success of this methodology. However, the delegates agreed that before a solution to the problem of racism and discrimination can be found, it was first needed to codify the underlying causes of the problems.

The workshop concluded that there was an obligation on developed countries to play a leading role in achieving a change of attitude, citing security issues for restricting the fair and free movement of people between countries which has led to a new and undesirable form of discrimination that needs to be addressed at an international level. It was proposed that this matter should be addressed informally at ministerial level with a view to establishing formal arrangements to eliminate discrimination affecting immigration, refugees and asylum seekers.

The workshop called on parliamentarians to place this matter on the agenda of their own governments and for the Commonwealth Parliamentary Association to do likewise.

The workshop commenced with Moderator Serguei Lazarev from UNESCO giving a brief review of UNESCO's strategies and actions over the past 50 years including the special programme against apartheid. He outlined the main points of UNESCO's integrated strategy's objectives including the reinforcement of institutional capacities, in terms of advocacy, research, education and communication. He further emphasized the need for new partnerships with municipal authorities, youth organizations, the private sector and community opinion leaders.

Discussion leader Ms Sarmite Bulte MP (Canada) firstly outlined the CPA's commitment to political values and the establishment of gender and human rights as specific areas of focus for the organization and its members, including the elimination of racism and discrimination. Ms Bulte outlined the positive policies that Canada had implemented to combat intolerance and promote multiculturalism, especially in particular the enactment of the Canadian Charter of Rights and Freedoms in 1982. She indicated that the present Government's policy goals in the multicultural programme focused on the fostering of identity, a socially just society and encouraging civic partnership. In promoting further discussion she stated that the successful formulation of strategies is dependant on the sharing of ideas and on co-operative assistance and action. She urged delegates to work together on regional and global challenges.

Discussion leader Shri K. Rahman Khan MP (India), gave a summarized historical background to discrimination and intolerance, including slavery and colonialism in some instances leading for example to apartheid and genocide. He then outlined some sources of contemporary discrimination including poverty, under-development, marginalization and social exclusion which had fostered racist attitudes and practices. He cited xenophobia, particularly against migrants, refugees and asylum-seekers as significant contemporary violations.

Shri Khan also outlined the consistent support of the government and the people of India for suppressed people in their fight for political and human rights, including the work of the great leader Mahatma Gandhi. He further outlined the Indian statutory framework which complemented the outcomes of the third World Conference against racism, Durban, 2001.

Workshop discussion commenced with Mr. Sophocles Fittis M.H.R. (Cyprus Branch) who emphasized the need for clarity about values and the specific behavior that these values entail, continuing “we are all different, but we are still all equal”, suggesting that there be greater focus on youth and education and the possibilities of promoting integrated policies through the Internet.

”Education builds bridges between people.....”

Ms Judy Junor M.L.A. (Saskatchewan, Canada) further developed the theme of the Canadian experience by giving a detailed overview of the education resource materials and programme based on existing Treaty provisions conducted by the Saskatchewan Treaty Commission which focused on the development of social harmony with a view to leading to community understanding and co-operation and which had received UNESCO endorsement (website www.otc.ca).

“Are we succeeding”

The Rt. Hon. Peter Ala Adjetey M.P. (Ghana) reflected that the multitude of conferences and treaties had brought little practical success. He raised a number of issues relating to restrictive practices in migration policy and cited the United Kingdom, New Zealand and Canada as worst case examples. He indicated that there was an urgent requirement for the Commonwealth to address the free movement of people between countries.

“With Rights comes Responsibility.....”

Mrs. Dianne Yates M.P. (New Zealand) raised the specific issue of the extent to which the rights of freedom of speech and political expression could be restricted to prevent racial and other vilification, in particular, “Hate Speech”.

Other delegates agreed that there should be no unfettered freedom of speech but that the media should develop a code of practice in these matters and as the right to broadcast is a public trust, that broadcasters and independent service providers should accept full responsibility for offensive items of publication.

The Hon. Hashim Abdul Halim M.L.A. (West Bengal, India) raised the issue of country against country discrimination including the recent events in Iraq. In response Mr Lazarev pointed out that the United Nations had opposed direct intervention in Iraq.

The Hon. Constance T.S. Simelane M.P. (Swaziland) stated the need to create “a kind of peace” and a “culture of peace”. In respect of “freedom of movement”, she mentioned the travel advisories issued by developed countries which were often used for political reasons.

M. Farouk Khan M.P. (Bangladesh) indicated that land, labour and capital are the essential ingredients of economic resilience. In the case of Bangladesh the restrictive immigration laws of other Commonwealth countries limited the capacity of the labour force to contribute to the economic development of Bangladesh.

Mr. Moses Wetangula MP (Kenya) gave further examples of limitations to fairness and freedom of movement. Other particular instances of discrimination included the contrasting attitudes of genocide in Rwanda with Yugoslavia and the discontinuation of student exchanges between Commonwealth countries. He urged that as the Commonwealth had a common language and shared values there was a need for an international focus, not just on individual countries legislating for themselves.

Ms Irene Ng M.P. (Singapore) suggested that issues flowing from religious intolerance could be addressed by engaging moderate representatives of different religious groups in discussion and continuing dialogue, giving as an example the Inter Racial Conference Circle in Singapore.

The Hon. Richard Mdakane M.P.L. (Gauteng, South Africa) reiterated the important role of parliamentarians in promoting tolerance and in educating their communities.

“Building from the Grass roots.....”

Mr. Michael Malley MLA (New Brunswick, Canada) described the success in their multicultural society and commended a grass roots approach involving awareness and tolerance.

In thanking delegates for their contributions Mr. Lazarev said that the delegates, as legislators, were now responsible for making and administering the appropriate laws to enable the implementation of the integrated strategy. While UNESCO continues to develop guidelines for capacity building for victims, mobilizing opinion leaders and decision makers, and promoting public awareness, it would be the responsibility of parliamentarians and governments to apply and monitor the progress of the implementation of the strategy.

He concluded that there were other challenges that would also need to be addressed, including discrimination in education and housing, and on the grounds of HIV/AIDS.

Sergio Lazarev
Moderator

6 September 2004

Workshop C: Parliament and Civil Society Working Together for Poverty Reduction

Moderator: Mr Rick Stapenhurst, World Bank Institute

Discussion Leaders: Mr Colin Ball, Commonwealth Foundation
Mr Thomas Dorsey, International Monetary Fund

Mr Colin Ball of the Commonwealth Foundation stated that the Heads of Governments established the Foundation in 1965. The Foundation's mandate is to service and support civil society in playing its part in democracy and development, which include poverty reduction. He stated that civil society is comprised of people who associate voluntarily. He stated that actions that detrimental to the common public good could be categorized as uncivil. The Commonwealth has roughly 1.8 billion people. He continued to say that people want their societies to be more democratic than they are, meaning offering them a bigger role in the process of governance rather than merely casting their votes every now and again.

In short people want to be included in the democratic process through the civil society organizations. He said that some people's faith in democracy has been eroded to the point where they see it as part of the problem rather than part of the solution.

Mr Thomas Dorsey of the International Monetary Fund dealt with the relationship between macro-economic policy and poverty reduction. In discussing this relationship he dealt with four broad topics: the goals of IMF policy advice; IMF policy advice in poor countries; Parliaments and the IMF and Civil Society and the IMF.

He indicated that the goals of IMF policy advice was firstly to achieve full employment and maximum output at home; secondly to balance financial and economic relationship with the rest of the world and to achieve domestic stability and appropriate exchange rate. Mr Dorsey stated that economic growth is a necessary condition for broad and sustained poverty reduction. This view was however not fully endorsed by Mr Collin Ball of Commonwealth Foundation as will be discovered elsewhere in this report. Mr Dorsey further mentioned that heavily redistributionist alternatives lead to flight of capital and skilled labour, thus lowering incomes further. He argued further that sustained economic growth requires macro-economic stability, which implies that borrowing levels should be kept to a minimum and inflation must be low; without these conditions domestic and foreign investors may look elsewhere. Mr Dorsey indicated inflation affects the poor mostly. Similarly, macro-economic distortions create the waste of public resources and promote corruption.

Mr Dorsey said that the development of human capital amongst the poor through education and health skills could contribute to sustained economic growth and acceptable income distribution. He also stated that the interaction of IMF with member countries could be made possible through the participation of those countries in the PRSP process, annual consultations, offering financial support and technical help to low-income countries.

In relation to the interaction between Parliaments and the IMF, Mr Dorsey stated that policies that are approved and enacted by Parliaments constitute the basis for discussion between the respective governments and IMF. He also mentioned that key policies with respect to the IMF-supported programs normally require parliamentary approval. He rounded-off by saying that participation was central to parliamentary democracies.

Mr Dorsey stated that the main counterparts of the IMF were generally governments and other public institutions. Nevertheless, according to Mr Dorsey the IMF is broadening its interaction and outreach by meeting frequently with national and international NGOs, faith-based organizations, business associations, and think tanks. To enhance the regular interaction, a quarterly newsletter to civil society is widely distributed and posted on the IMF website.

In the discussions that ensued, Hon. Roy Cullen (Canada) who is a member of Global Organization of Parliamentarians Against Corruption (GOPAC), said GOPAC was established to fight corruption and promote integrity in governance. He continued to state that GOPAC was committed to fight corruption and money laundering, and therefore supports the UN Convention Against Corruption. Hon. Cullen mentioned that although Transparency International (TI) has listed Canada as one of the least corrupt countries, corruption does occur nevertheless in Canada. GOPAC has chapters in all the regions of the world that actively work towards eradicating corruption in their countries. He specifically referred to Australasia, Kenya, Middle East/North Africa, Tanzania and South Asia where the cooperation between these chapters and TI is witnessed by the operation of Secretariats of these chapters the IT offices. Hon. Cullen informed the Workshop that the 2002 GOPAC founding Conference identified five areas for fighting money-laundering as a priority, which are monitoring parliamentary performance, training of parliamentarians on financial and budgetary oversight, a code of conduct for parliamentarians and election financing. He forwarded the website address of GOPAC as www.parlcent.ca/gopac.

Hon. Glenn Hagel (Saskatchewan) shared with the Workshop the efforts that were undertaken to reduce the number of people living in poverty in the Province. The efforts were undertaken through the Building Independence strategy which assisted people in making a transition from dependence on social assistance to independence of work. The programs aimed at creating a measure of independence were structured around the manner in which service was delivered. Employment creation was a top priority together with the provision of affordable housing to the former dependents and poverty-stricken clients. Through a combination of different methods and programs Saskatchewan managed to reduce the rate of poverty for all persons from 11.4% in 1996 to 9.5% in 2001.

Hon. Sardar Charnjit Singh Atwah (India) stated that the 50th Conference was taking place during challenging times when world peace and prosperity were threatened by poverty and malnutrition. Quoting the Nobel Laureate Amartya Sen, Hon. Atwah said 'development is simple, powerful and inspiring....The measure of development is the degree to which the freedom of people is enhanced and begin with, it means freedom from hunger and freedom from abject poverty'. He was of the view that civil society is an essential component of our socio-political system and one of the most effective agents of social action.

Hon. John Robertson (United Kingdom) said it was important to focus on legal corruption. The G-7 should concentrate on how they utilize their money. Hon. Robertson also indicated that in assisting poor countries, caution should be exercised in areas such as trade where at times the imported goods in poorer countries make the development of local industries difficult.

Hon. Michael Lashley (Barbados) stated that Barbados was a constitutional democracy, however there was a need for Freedom of Information Act in Barbados to enable parliamentarians and civil society to access the necessary information in order to challenge government policies whenever required. He was of the opinion that civil society should be directly involved in decision-making process so that the will of the people is respected.

Hon. Rosemary Banda (Zambia) said that whereas there are checks and balances on the government with respect to the use of funds approved by Parliaments through the debates and Public Accounts Committees, there were no such mechanisms to check the Civil Society Organisations (CSOs) who are financed by the international institutions (IMF and World Bank). Hon. Banda further lamented the fact that since the privatization process started in Zambia, the country has seen the flight of money to the countries of those foreign companies. Thus privatization sometimes could become a contributing factor towards poverty increase.

Hon. Thandi Modise (North-West Province, South Africa) said that sometimes donor funding could be a source of conflict and disunity amongst citizens of a specific countries. Hon. Modise was therefore of the opinion that the IMF, World Bank and other international donors must always look carefully as to whether their funding is also not promoting corruption. The Honourable Member further stated that women in Africa are insisting that IMF or any another funding must benefit women.

In responding to some of the comments, Mr Colin Ball indicated that where more people are involved in the democratic exercise, then corruption is less likely to occur. He was of the opinion that there must be a balance between self-help and external assistance. He emphasized that Parliaments and CSOs should work together to achieve greater effectiveness in reducing poverty. Mr Ball differed with Mr Dorsey of the IMF that economic growth is a necessary condition for poverty reduction. Instead he pointed out that the answer might lie in the distribution mechanisms being employed. He doubted the capacity of poor countries to effectively distribute funds to CSOs. He stated that too often decisions are taken at the highest rather than at the lowest levels. He was of the view that there must exist complementarity between Parliaments and CSOs in their quest to reduce poverty.

50th Commonwealth Parliamentary Conference
Workshop D
Ontario Room, Fairmont Royal York Hotel
Monday, September 06, 2004 at 15.30

Moderator: Hon. Alaso Alice Asianut MP (Uganda)

Discussion Leaders: Hon. Nigel Evans MP (UK)
Hon. Alaso Alice Asianut MP (Uganda)

Rapporteur: Mr Murumba Werunga (Kenya)

Session Secretary: Mr Chris Reading (Wales)

CPA Secretariat: Ms Meenakshi Dhar

**Subject: SUCCESSFUL STRATEGIES IN PREVENTION,
MANAGEMENT AND TREATMENT OF AIDS
PANDEMIC**

Following a key presentation on the subject of **Successful Strategies in Prevention, Management and Treatment of AIDS Pandemic**, the delegates meeting in the Workshop D agreed with and underscored the general theme of the subject. In the brief interventions made at the Workshop, delegates from varied regions and parts of the CPA were unanimous in laying emphasis on virtually the same aspects of the subject. In a nutshell, they highlighted the urgency in combating AIDS, its global proportions and the inevitable need for parliamentarians as part of national and international leadership to raise the profile of the struggle or war against AIDS.

The key note presentation by Hon. Alaso Alice Asianut set the tone and the mood of the debate by a well researched documentation of the contribution of Uganda in combating AIDS. The Hon. Asianut gave a genesis of AIDS in her country starting from 1982, when it was first identified: thereafter it

gained epidemic proportions with a national sero-survey of 1987/88 registering infection rates of between 6% to 8%. The prevalence rates were then observed as doubling every six months and by 1992 they averaged 18.5% nationally while some urban centres recorded up to 30%. The rural areas maintained relatively low rates at about 1% to 3%.

Magnitude and Impact of AIDS in Uganda

In a population of about 25 million, close to one million people are living with the virus and one million have died over the past twenty years. On average, in each year, of the 30,000 babies born with infection, the majority of them die before they are five years. There are over 2 million orphans. In 2003, about 70,000 people died with AIDS. Over 100,000 persons every year; men, women and children develop to the advanced stage and do require treatment with the current effective antiretroviral (ARV) drugs.

The social and economic impact of HIV/AIDS are well known, and Uganda has not been spared. These are due to long-standing illness and numerous deaths resulting in reduced economic productivity, excessive expenditure and social disruption. Thus AIDS poses a severe health burden, a grave developmental problem and a potential crisis to national security, good governance and democracy. As an example, by eroding household incomes and the quality of life, AIDS exacerbates poverty.

Strategy of National Response

The Hon. Asianut went on to highlight the key components of a Strategy of National Response to combat AIDS. The following are identifiable: **relative silence; health oriented response; multi-sectoral approach; and scaling up to maintain the momentum of success.**

- (i) **Relative Silence – 1982 – 1985**, very little could be done as not enough was known about the disease worldwide and at the same time, Government focus was on the more pressing priorities due mainly to social and political instability.
- (ii) **Health Oriented Responses** – 1986 ushered in the present administration led by President Yoweri K Museveni, who provided personal and direct support, commitment and involvement in combating the epidemic. Government established an AIDS Control Programme (ACP) in the Ministry of Health in 1986. The ACP laid the foundation and developed knowledge and awareness

about the disease, which has been the basis for further medical developments. Later on, the civil society and the private sector were encouraged and joined in the struggle.

- (iii) **Multi-Sectoral Approach** – in 1990, Uganda became the first country in Africa to adopt a multi-sectoral approach to control AIDS. The strategy called for all sectors of society to contribute to the response according to their respective mandates and capacities. In addition, HIV/AIDS was to be addressed in equal measure from the causative factors through to the social economic consequences as well as medical disease management.
- (iv) **Maintenance of Momentum to Harness Success** – since 1999, emphasis has been on scaling up the response through accelerated action, expanded, extended and increased interventions, accommodating new partners as well as improved coordination.

Achievements and Successes of the Strategy

There are many, however, the following give a picture of the situation –

- (i) the dramatic decline in trends of the epidemic, infection rates dropping by 60% over a ten-year period;
- (ii) the sustained support and commitment of high profile political leadership, in particular from the President who joined in prevention campaigns, urged his subordinates to put AIDS on their development agenda and called for open dialogue and the provision of timely accurate information;
- (iii) the development of an attitude of openness about the disease which attracted multiple actors, actions and resource support;
- (iv) presence of a conducive environment of good governance and democracy, providing space for contribution of civil society at all levels, including the active participation of People Living with HIV/AIDS (PHAs), which *inter alia*, reduced the stigma and discrimination considerably.

Challenges and Opportunities for the Future

Even in a country with relative success, a few examples will serve to illustrate that, the struggle against the epidemic continues:

- (i) though awareness and knowledge about HIV/AIDS are high and widespread, and incidence rates (of new infections) have dropped by over 50% overall; the occurrence of new infections, especially among children and young people and in conflict affected areas, call for innovative strategies to be designed and appropriately couched for selected groups in order to achieve new breakthroughs;
- (ii) in the midst of preventive services, such as counseling and testing, prevention of mother to child HIV transmission and screened blood supply, there still exist pockets of unreached populations and limited access to medical facilities for the care of the already infected;
- (iii) in the case of antiretroviral treatment (ART), only 10% of the need is presently met through self-support; hence, the need for a policy, with programmes and strategies for complete provision to all deserving cases;
- (iv) the challenges in this respect include: sustainability for life long therapy; inadequacy of locally generated resources and the possibility of macro-economic instability due to decreased cash inflows;
- (v) review of local fiscal policies for design of strategies to sustain ARV treatments if and when external resources are phased out; and
- (vi) the need to maintain regular review of all coordination mechanisms, strategies and modalities with changing social, cultural and economic environments and dynamics of the epidemic.

The Role of Parliament

As part of political leadership, Parliament can make a very significant contribution to the national response to HIV/AIDS. Parliamentarians have a

relative advantage in their mandate, which, *inter alia*, focuses on legislation, community and societal mobilization and national oversight.

Recently Parliament established a Standing Committee to work closely with the ACP in representing parliamentary issues on the national Commission which convenes monthly, to deliberate on HIV/AIDS activities throughout the country.

Coordination functions of oversight, as led by the ACP, include the following: policy guidance; advocacy focus; joint planning, reviews and M&E; resource mobilization, equitable budgetary allocation and tracking of effective utilization; strategic information exchange; strengthening technical capacity; and promotion of HIV/AIDS related research.

The Standing Committee has developed comprehensive strategic and annual action plans pertinent to the role of Parliament in fighting the epidemic. This initiative is adding great value to scaling up the national effort in AIDS control.

A Call for National Strategies

Most responses and interventions in the Workshop hinged on the need for development of deliberate and specific national strategies to combat AIDS. The necessity of the specificity of national strategies was supported by the interventions which indicated a sizeable variety in the conditions conducive to infection and spread of AIDs, from one country to another. The lead call for this came from the key discussant, the Hon. Nigel Evans MP (United Kingdom) who from excerpts of a recent report of an All Party Committee of the House of Commons, highlighted the following:

- (i) the All Party Committee made their report upon presentation by invited parliamentarians from varied African Parliaments;
- (ii) the major causes for infection and spread of AIDS/HIV in Africa were found to include:
 - (a) beliefs and taboos imbedded in the culture that compel especially the women to continue in sexual relationships even when it was clear they would be infected;

- (b) escalation of poverty, often resulting into prostitution, poor nutrition, low expectations in life, generally low standards of living;
- (c) beliefs and cultural tenets which preclude disclosure of infection thus hampering treatment;
- (d) the cultural practices that continue to place women in inferior status.

As a result, Hon. Evans, lamented the pandemic proportions which HIV/AIDs had acquired in Africa, as evidenced by the fact that, the 11 million orphans were projected to double by 2010, while the rate of infection in women standing at 60% of all cases was also set to rise. He sited particular country case studies and the situations and circumstances prevalent to infection and transmission of HIV/AIDs. On the major targets of infection, he identified the ages of 15 to 49 years, the able bodied employed professionals amongst whom are the health workers, teachers, civil servants armed and police officers.

On the way forward, he counselled that HIV/AIDs be clearly designated as an international disaster or was needing concerted international approach. Further that, there should be specific national strategies to ensure sustenance of capacity to curb new infections and the spread of the pandemic, Hon. Evans, quoted Prof. Richard Teachem as follows: *“HIV/AIDs globally is the worst disaster in recorded human history. It is already worse than the black death in Europe in the 14th Century and the word “already” is very significant, because it is going to get much worse before it gets better – even if we did all the right things tomorrow – and we are not”*.

Specific Country Initiatives and Proposals

The interventions of the delegates were polarized to re-emphasizing certain aspects of the subject and could be roughly grouped as follows:

- (i) that, HIV/AIDs had no national boundaries, colour, race, economic status, it was an international phenomenon, needing equally international strategy and approach – Hons. Elen Theocharus (Cyprus), Dorothy Motubatse-Hounkpatin (South Africa), Alexander Nanta Linggi (Malaysia);

- (ii) that, there should be established specific national strategies, an all inclusive approach to focus national effort and resources on combating the pandemic; examples were given of where such strategies exist – Hon. Moses M Wetangula (Kenya), Senator Gladys Sands (The Bahamas);
- (iii) that, the national strategies should combine with international efforts to challenge cultural believes which facilitate infections and spread of the pandemic – Hon. Thande Modise (South Africa);
- (iv) that, the national strategies should start awareness at an early age, should address the needs of capacity building and its relationship to poverty, nutrition, prostitution and provision for the orphans – Hons. Joyce Kgoali (South Africa), Michael Peart (Jamaica); Edrissa Saliah (The Gambia), Ronald Koone Sebege (Botswana);
- (v) that, strategies at national level should address issues of lack of education, low life expectations, availability and affordability of ARVs to deserving cases and the exceedingly exploitative nature of the manufacturing multinationals; – Hon. Vasant Davkhore (India), Michael Peart (Jamaica);
- (vi) that, strategies be developed to deal with AIDS/HIV which should be targeted as a real threat to world order, peace; and raise the profile of fighting it, intensify research for a cure drug; wealthy nations should support poorer ones – Hons. Maxwell Burgess (Bermuda), Maria Minna (Canada), Jayne Kihara (Kenya);
- (vii) that, the CPA should come up with a strategy similar to that adopted in dealing with polio in the past, measures be devised to combat HIV/AIDs in specific groups (drug addicts, women, youth) in society – Hons. Long Hoo Hin (Malaysia), Gifty Kusi (Ghana), Dorothy Motubatse-Hounkpatin (South Africa), Jennifer Smith (Bermuda);
- (viii) that, parliamentarians should devise strategies using their mandate at budgeting and legislating (e.g. the Jean Chretien Act in Canada which enabling direct Canadian support to countries deserving ARVs) to support Members of CPA – Hons. Maria Minna (Canada) and

- (ix) that, CPA should devise strategy and programmes to treat HIV/AIDS in the category of an international menace as a world war requiring concerted international response – Hons. Maria Minna (Canada), Wetangula (Kenya), Evans (UK), Long Hoo Hin (Malaysia).

Commonwealth Parliamentary Association 50th Commonwealth Parliamentary Conference Quebec & Toronto, Canada, September 2004

Workshop E – 5 September 2004

Parliament and the Right to Know

Moderator: The Hon. Somnath Chatterjee, MP, Speaker of the Lok Sabha, India

Discussion Leaders:

Ms Charmaine Rodrigues, Commonwealth Human Rights Initiative

Mr Rick Stapenhurst, World Bank Institute

Ms Rodrigues opened the discussion with the observation that only 10 of the 53 Commonwealth countries have right to information legislation. She drew attention to the 2003 “Open Sesame Report” which deals with the issue in detail and particularly focused on law making and some key principles that should but do not always underpin RTI legislation.

Ms Rodrigues stated that the focus must be broader than law making as the process and implementation are as important as the final legislation. It is desirable to build constituencies during the law making process. On the supply side, there is a need for bureaucrats to support the law and its implementation in a spirit of openness and on the demand side there is a need for the public and non-governmental organizations to be on board because the value of the law is in its use.

Ms Rodrigues advocated a number of essential elements for effective RTI legislation.

There should be maximum disclosure with minimum exceptions.

Governments should not only provide access to information but should provide as much of it as possible proactively. Private bodies (companies and NGOs) should also be required to provide access to information where it affects people’s rights. To minimize exceptions there should be a provision that RTI law overrides all other inconsistent legislation, exceptions should be tightly drawn so that there are no class/category/position exemptions and there should be a public interest override. Information used by government to make decisions should not be exempt. Request procedures should be as simple and inexpensive as possible with oral applications being accepted where necessary and with fees, at most, only payable to the extent of the actual costs involved. Information should be provided within time limits and alternative delivery systems should be available.

Independence from government is essential to ensure that officials cannot frustrate applications. Appeals need to be inexpensive, speedy and procedurally simple. Courts should be the last resort for redress. Effectiveness of RTI law will often depend on enforcement mechanisms including penalties for willful destruction of records and for delay in providing a response. (Some Indian States have provisions for fining officials to ensure that they take a more personal responsibility.)

Legislation should also provide for monitoring and promotion and both of these aspects need to be properly resourced.

Mr Stapenhurst focused on two aspects of the “right to know” in the pursuit of good governance: Parliament’s right to information and the right of the electorate to know what Parliament is doing. Information is essential for Parliament in relation to ensuring government accountability, representation of constituents and for making policy and law. It is equally essential that Parliament is responsible to the electorate in being transparent and accountable in its operations.

He referred to the correlation between the increasing need for information by Parliaments and their development from being simply a rubber stamp to becoming an informed legislature and finally to being a transformative legislature. He described the informed legislature as one having sufficient information for effective scrutiny of government and the transformative legislature as one with information to enable it to be fully involved in policy and budget formulation. Particularly as information flow increases, it is important that it is appropriately analyzed to ensure that it leads to useful outcomes. Busy Members of Parliament need assistance in translating large quantities of data into meaningful information (eg, position papers and reports).

It is important for Members to –

- ensure that parliamentary budgets provide adequately for library and research facilities;

- build links with public policy groups, universities and other civil society groups; and
- seek bilateral and multilateral support.

In relation to the right of people to know about Parliament, a number of CPA initiatives, with World Bank Institute support, were referred to –

- Parliament + the Media: Building an Effective Relationship (New Delhi, Feb. 2000);

- Parliament + the Media: Securing an Effective Relationship (Cape Town, April 2002);

- CPA Study Group (Perth, Feb. 2003);

- CPA Study Group (Ghana, July 2004).

Four of the Cape Town principles were highlighted –

- (1) opening parliamentary processes, including committees, to media coverage;
- (2) providing schedules of committee meetings to the media (journalists should in turn cover this important parliamentary process);
- (3) media coverage of committees will better inform the public in the formulation of public policy and will prevent collusion in cases where committees are investigating wrongdoing; and
- (4) broadcasting of parliamentary proceedings and greater media coverage will raise the quality of debate.

In concluding his presentation Mr Stapenhurst offered two questions to ponder –
Does Parliament itself have access to timely and appropriate information?
Is Parliament itself transparent and accountable?

In inviting contributions from the floor, Mr Chatterjee observed that the principles involved in the right to information and its role in strengthening democracy are known and understood but the extent and effectiveness of their application in the various Parliaments represented would no doubt be different. He further observed that one cannot take a dogmatic approach.

In spirited contributions, a number of Members supported remarks by Mr Ravi Shankar Prasad, India who referred to the difficulty in obtaining reliable information in the form of intelligence used in decisions relating to the conflict in Iraq and to the consequences for all involved. He also referred to the role of multi-national corporations in economic reform and whether they are open to information sharing. In similar vein, many Members also commented on the need for NGOs to be open in regard to decisions and programs that affect the public. The Hon. Hashim Abdul Halim, Speaker of the Legislative Assembly, West Bengal asked what should happen if information is incomplete or incorrect and how are people to be protected or compensated in circumstances where they suffer as a result.

The Hon. Gangu Ram Mussafir, MLA, Speaker of the Legislative Assembly, Himachal Pradesh suggested that Members should use the full range of procedures available to them. For example, they should not only ask questions on the floor of the House but should follow up with searching supplementaries and any form of debate available to them including matters of urgent public importance where Ministers may have given incomplete or otherwise unsatisfactory answers. Full opportunity should also be taken of all available committee related procedures, both in the committee itself and in the course of debating a report. Where information elicited in the committee process is unsatisfactory, Members should be prepared to raise the matter as a breach of privilege or contempt of the House if false, forged or fabricated information has been provided. He was supported by the Hon. Sumitra Singh, Speaker of the Legislative Assembly, Rajasthan who also stated that the ultimate decision on disclosure of information about which the Government seeks privilege in matters such as those affecting public safety, national defence, foreign intelligence services or investigation of crimes lie in the hands of the Speaker.

Ms Liz Cunningham MP, Queensland said that despite the important role of the media in dissemination of information, lack of objectivity and other forms of bias can be a significant problem. Other Members expressed concern about the control of media by multinational companies and the potential for slant to be put on information for reasons other than the public interest. A number of other Members also referred to the problem of biased media reporting. Mr Staphenurst suggested that media bias or lack of objectivity should not be a reason to avoid its use in disseminating information; it is a separate problem.

Ms Cunningham also referred to the overuse of commercial and Cabinet confidentiality in claiming exemption from release of information and other Members referred to official secrecy provisions as a barrier to obtaining information. Mr Brent Catchpole, MP, New Zealand suggested that care should be taken in relation to commercial confidentiality in relation to companies involved in privatisation to ensure that information released in the public interest is not able to be misused to the detriment of those companies.

Mr Catchpole also asked how Members of Parliament can be sure of the information provided to them. Ms Rodrigues acknowledged that factors such as public servants being on performance based contracts and therefore beholden to government should not be overlooked in assessing the quality and reliability of reports and papers provided by them to Parliament.

The Hon. D. Gisele Isaac-Arrindel, Speaker of the House of Representatives, Antigua and Barbuda referred to the problems of illiteracy and lack of ability of many people to acquire means of accessing information such as computers. The Hon. Joseph Meade, Speaker of the Legislative Council, Montserrat suggested that information should be channeled through various media, eg, print, radio and internet but pointed to the difficulty for some countries in providing resources for such channeling. Some Members referred to the paucity of library, research and other resources available to their parliaments compared to those available to the executive government or judiciary.

Mr Mark Parent, MHA, Nova Scotia observed that despite robust freedom of information provisions at provincial level, increases in fees led to a decrease in the number of requests and that trust in government seemed to be declining despite increasing availability of information. This led him to the conclusion that the solution to the problem is more than simply providing additional information.

The Hon. Mr Chatterjee concluded that the various observations, issues and differences raised were of considerable value in alerting Members to the many considerations necessary in the essential pursuit of legislation for ensuring the right to information together with appropriate processes, promotion and monitoring.

Workshop F : Protecting Public Health in the Global Village

Moderator Mr Yatiman Yusof, Singapore

Discussion Leaders: Senator Raynell Andreychuk, Canada
 Ms Dianne Yates, New Zealand

Rapporteur: Mrs Marilyn Cullen, Isle of Man

Session Secretary: Ms Nondumo Nkuhlu, Eastern Cape

CPA Secretariat: Mr Nicholas Bouchet

Recent events such as SARS, BSE, Bird flu etc have highlighted the globalization of health issues. Contributors to the discussion highlighted particular health issues in their own countries, but also identified many major concerns common to all countries, such as the increase in avoidable diseases, eg diabetes and heart disease, which are largely preventable by adopting healthy eating habits and increasing physical exercise.

However, too many countries still have insufficient resources to prevent and treat communicable diseases, such as malaria and cholera. Poverty, malnutrition and the lack of potable water are still a major contributory factor in many countries, particularly in rural areas. The Canadian International Development Agency reports that about 1.2 billion people do not have access to safe drinking water, 2.9 billion have no adequate sanitation facilities and 4 billion do not have proper sewer systems. In 1998, water-related diseases caused an estimated 3.4 million deaths, mostly in children.

There is increased recognition of the need for international leadership to coordinate strategies to respond to infectious disease outbreaks. To this end, networks have been developed, for example GPHIN (Global Public Health Intelligence Network) which greatly assist in the notification of communicable diseases and the steps which should be taken to prevent the disease being spread throughout the world. However, the World Health Organisation has recognized that the effectiveness of such networks are severely reduced if a global response cannot be implemented, because some countries do not have the necessary resources.

Many countries do not have sufficient health workers, and the richer countries have the resources to enable them to poach qualified personnel from the countries which need them the most. Poorer countries also do not have the educational resources which are essential in the prevention of diseases.

Participants in the workshop avoided a major discussion on AIDS, as it was the subject of a separate workshop, but it was recognized that it is a major problem throughout the world, and particularly in the developing countries, which do not have sufficient funding to provide the necessary medication, nor the educational framework to prevent the spread of the disease.

Senator Andreychuk, Canada, gave a definition of public health as “the science and art of preventing disease, prolonging life and promoting health through the organized efforts of society”. She focused on three issues –

- ## Disease prevention
- ## Health promotion
- ## Disease surveillance and control.

There has been a worrying increase in non-communicable diseases, and the World Health Organization has predicted that such diseases will constitute over 70% of global disease by 2020. These conditions include heart disease, diabetes, obesity, cancer and respiratory diseases.

The increased volume in the movement of people increases the risks of the spread of infectious diseases. The outbreak of SARS in Toronto in 2003 raised the profile of public health in Canada, and led to the setting-up of a Committee to explore ways to improve Canada’s public health system, which resulted in a new federal strategy for public health. As part of its contribution to meeting the Millennium Development Goals, Canada has committed \$100M to the WHO’s 3 by 5 initiative.

Dr Warren Lee, Sembawang, Singapore, said that Singapore had to implement tough measures to prevent the spread of SARS. The public were very cooperative with the practical measures which were necessary, and explanatory information was released to the public, which prevented panic. Singapore also cooperated with international organizations to prevent the spread of the disease.

He is also concerned about rising levels of obesity which in turn result in higher levels of diabetes. Changing attitudes to diet and exercise are necessary to reverse this trend. In some cultures, chubby children are seen as a measure of wealth, and the dangers of overweight in children are not appreciated. Instead of spending vast amounts on the treatment of diabetes, Governments should concentrate on prevention, especially as diabetics are more susceptible to TB. Schools should dedicate part of the curriculum to physical exercise. Regular testing and the supply of medication to prevent kidney failure are essential. Health programmes run by nurses and paramedics, rather than doctors, could be very effective.

Sardar MD Sakhawat Husain, Bangladesh, referred to the United Nations Millennium declaration that the world is devoting less than half of the effort necessary to protect global public health. The result of this is that the peoples of countries such as India, Bangladesh and Africa have a much shorter life expectancy than the peoples in the developed countries. The most effective method of improving public health is the eradication of poverty.

The Hon. James Netto, Gibraltar, stressed the connection between the environment and public health. The method of rearing animals intended for the food chain can greatly

affect human health, as was demonstrated by the outbreak of BSE. Pollution is another major factor, which has led to rising levels of asthma.

Ms Dianne Yates, New Zealand, concentrated on four main topics –

- ## internationally transmittable infection and diseases
- ## public health and the sustainability of safe water, waste disposal and ozone layer effects
- ## international trade and supply of babies, stem cells, human organs etc
- ## border controls

The SARS outbreak highlighted how quickly a health problem can become an international issue. It has therefore drawn the attention of national governments to the importance of alerting the WHO to similar outbreaks as soon as possible, whilst the problem is still at a manageable stage. Immunization programmes are very effective in the control of the spread of infectious diseases, but many countries do not have the resources to be able to implement such programmes. However, the New Zealand Army medical team carried out an immunization programme in Vanuatu, setting an example of partnership in the Pacific.

As medicine and reproductive technologies advance, there is an international demand for blood, human organs and stem cells. The United Nations has called for international agreements and closer monitoring of ‘trade’ in body parts and tissue.

Hon Sardar Chanjit Singh Atwal, India, drew attention to the reality that, for many people living in the developing world, access to modern medicine and health care is totally inadequate. However, over the last few decades, there has been an increased awareness and commitment at regional and global levels for improving public health. India has launched various National Health Programmes to combat malaria, TB, Kala-azar, leprosy, cancer etc, and has made remarkable progress, with life expectancy increasing from 32 years in 1947 to about 65 years today. However, much remains to be done. India is committed to increasing public spending on health to at least 2-3% of its GDP, and is promoting the growth of private and community based health care.

The Hon Liniwe Michelle Maseko, Gauteng, South Africa, said that, although globalization has increased the risk of spreading epidemics, it has also served to put the issue of public health on the global agenda. However, a greater commitment from the international community is essential to meet the Millennium Development Goals. Early treatment of disease can prevent complications, so drugs should be readily available at affordable prices. Training of local medical practitioners is essential, but once trained, they can often be persuaded to move to other countries, which can offer much higher rewards.

Ms Yates recognized this problem and in response New Zealand has introduced a bonding scheme whereby medical practitioners are required to work in that country for a specified period following completion of their training. Perhaps a similar procedure

could be adopted, whereby students who undertake their training in a foreign country would be required to return to work in the country which paid for their training.

The Hon Dr Ramloll Parmessur, Mauritius, categorized health problems as –

- ## infectious diseases
- ## non-communicable diseases
- ## pandemics, such as AIDS

Many countries provide free health care or an insurance-based scheme. However, with the growing cost of health treatment, many developing countries cannot sustain either of these schemes. He called on the wealthier CPA countries to assist the poorer countries to make health care more accessible.

Ms Sandy Lee, Northwest Territories, Canada, said that, although Canada has good and free health care, diabetes is rising, particularly in the rural areas. This has been a result of the move away from traditional diets. There has also been a significant increase in sexually transmitted diseases, which is a common trend throughout the poorer sections of the community world-wide.

Shri Vijayendra Pal Singh, India, stressed the importance of traditional and complementary medicine in India. Many of the world's health problems are caused by man interfering with nature. More research should be undertaken on herbal medicines which often have fewer side effects, for example there is a cheap and effective herbal treatment for stomach ulcers, which India is promoting. India has also introduced cheaper artificial limbs which have been used by war casualties in Afghanistan.

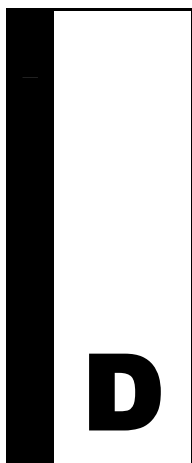
Anne Craine, Isle of Man, mentioned the threats of bio-terrorism and, in particular, the vulnerability of nuclear processing plants. The effects of the fall out from the Chernobyl disaster on the Isle of Man had meant that it had only recently been possible for sheep which had grazed on the upper slopes of the Island, to be used for human consumption. A terrorist attack on an installation such as the Sellafield Nuclear Plant in the UK would be catastrophic, but even regular emissions from such plants can cause risks to public health.

Ms Andreychuk said that following 9/11, Canada had introduced anti-terrorism legislation, but there was no accountability of those responsible for implementing the measures.

Mr Yatiman Yusof, Singapore, highlighted the problems of diseases being transferred from wildlife to humans. Migratory birds pose a particular threat, as it is not possible to quarantine local birds. Therefore it is sometimes necessary to eliminate migratory birds which pose a threat in order to prevent domestic flocks from having to be destroyed.

Ms Yates said that New Zealand is tackling the growth in preventable diseases by broadcasting advertisements on TV which stress the importance of diet and exercise. A free health check is provided, with recommendations on lifestyle improvements.

Ms Andreychuk summed up by saying that health is a great equalizer, and affects the quality of life throughout the world. The role of parliamentarians is to appreciate how interconnected the countries of the world are and to ensure that their Governments have the will to take the action necessary to improve public health globally.



**Appendix D — Speech by the
Commonwealth Secretary-General, the Rt
Hon. Don McKinnon**

**Address by the
Commonwealth Secretary-General
Rt Hon Don McKinnon**

to the

**Commonwealth Parliamentary Conference
Quebec City, Canada**

Saturday, 4 September 2004

Mr President,
Honourable Members,
Secretary-General,
Ladies and Gentlemen,

It is good to be with you this morning.

As I always say at these meetings, we, from the intergovernmental Commonwealth, meet you, the Commonwealth Parliamentarians, as special friends. The Commonwealth Secretariat recognises the importance of the contribution you make through your work to constantly strengthen the parliamentary tradition and to deepen democracy in the Commonwealth.

And occasions such as this serve to strengthen again the already close partnership between the CPA and the Commonwealth Secretariat, a partnership which is of growing importance.

I am also conscious that some of you may one day be the Head of Government of your country, and as such even more directly play a leadership role in the Commonwealth.

So I hope to catch you young and convert you to the cause!

Canada and the Commonwealth

I am, of course, very pleased to be in Canada and in beautiful Quebec City, which epitomises in so many ways the richness and diversity of Canada's society and culture.

As you know, the ties that bind Canada and the Commonwealth together run very deep. A founding member of the Commonwealth in 1931, Canada has always been one of the organisation's strongest supporters.

Canada was for many years the first and is now the 2nd largest provider of funds to the Commonwealth.

Historically, Canada played a leading role in the Commonwealth's efforts to dismantle apartheid. It chaired the Commonwealth Committee of Foreign Ministers on Southern Africa which co-ordinated Commonwealth actions to encourage a peaceful transition to non-racial democracy.

The first Commonwealth Secretary-General, Arnold Smith – a Canadian – contributed to strengthening the role of the Commonwealth as an international organisation.

He liked to say that Canadians had invented the Commonwealth. Of course, we New Zealanders also claim we invented the Commonwealth! And so do Indians, Malaysians, Jamaicans... This is another key feature of the organisation: the Commonwealth is a genuine community of equals and every member country can claim ownership of it.

There are many other ways in which Canada has helped shape the modern Commonwealth.

One significant contribution was the institution of the CHOGM Retreat, a brainchild of Prime Minister Trudeau, where Heads of Government would meet in a friendly and private atmosphere, away from the inhibiting presence of officials.

Retreats became the hallmark of CHOGMs – and an important device for resolving the thorniest issues. This is what we call "statesmanship in shirt sleeves."

And of course, Canada itself has been shaped by the Commonwealth. With its rich and diverse communities, Canada is like a microcosm of the Commonwealth: indeed, over half first generation Canadians come from other Commonwealth countries.

Commonwealth Parliamentary Association Conference

It is also good to be with you this morning because of the theme you have chosen for this Conference: the 'Responsibilities and Rights of People and Parliaments in a Global Community' – because even if we don't always acknowledge it, or like it, with rights come responsibilities.

I wish you well for the success of the plenaries and the workshops - on parliamentary standards, racism, AIDS, poverty, freedom of information and public health – at which you will elaborate on that theme.

Above all, I commend you for the focus which I know you will place on practical outcomes.

Developing effective ways of overcoming problems, devising workable solutions to the challenges we face: that is our language in the Secretariat, I am glad that it is also the language of the CPA and the language I know you will use in your discussions here in Canada and in the follow-up afterwards.

That matters, because the fact that you're meeting, in itself, is not enough. What counts is where the talking will lead to after you've left the lovely city of Quebec.

Your Secretary-General mentioned just now my long-standing concern that the Commonwealth must always be relevant. People often debate the Commonwealth in terms of its 'relevance' to the modern world.

They are right to present relevance as the test, even if they are often wrong in accompanying that test with baggage which is so inappropriate and out of date.

In my view there are three elements to the test of relevance. First is the establishment of priorities. Which issues are most compelling and represent the greatest current challenge to our global community.

The second element in the test of our relevance is the extent to which our association is able to propose, work constructively, and work proactively for solutions which are practical and effective.

And the vital third element is about velocity, the speed with which we move from the first to the second, ensure that the appropriate action is taken and that the change does benefit people. Not forgetting that neither the world nor its problems are standing still and waiting for us to catch up. We can't solve all problems in the world, but we can help solve many.

Selecting priorities, coming up with workable solutions and doing it all fast: these are the key elements that determine how relevant the Commonwealth is in the modern world and how relevant it will be for the future. The ruler that measures us does so daily – there is no rest period, no time out.

So, when Commonwealth Heads of Government met in Abuja, Nigeria, last year, those thoughts were on their minds, as well as strengthening our association's role in promoting development and democracy – you cannot have strong, sustainable development without strong and effective democratic institutions.

Mr President, I mentioned development and democracy. These remain the priorities for the Commonwealth Secretariat, since democracies foster development by, among other things, creating incentives for donors and encouraging foreign direct investment.

Deepening democracy

We therefore continue to press ahead – with the CPA – to deepen democracy throughout the Commonwealth.

In previous addresses I have focused on particular elements of importance in the modern democratic agenda. Today I want to emphasise seven areas:

1. Several recent Commonwealth elections have highlighted yet again the importance of balanced media coverage. Equitable access to the media by political parties at election time matters.
2. But balanced coverage – on the part of the State media in particular – matters even more: and it must be balanced all the time, not only at election time. Unfortunately, not all Commonwealth countries have ensured such balance.

I commend to them and to you the recent *Guidelines* produced by the Commonwealth Broadcasting Association, and hope that there will be improvement in this critical area in the years to come.

3. I have referred in the past to political parties as the “key link” in the democratic chain. They can also be one of the weakest links. In many, of our countries, our political parties need refurbishing and renewal.

In particular our parties need to demonstrate much greater commitment to democratic virtues and values in their own activities and their own processes.

Parties are essential to the democratic process, and multi-party systems are the most democratically effective. But how do parties truly reflect their membership; do they really debate the big issues; how do they treat each other – these are the key questions.

4. I have in the past stressed the importance of the full involvement of civil society in building democracy in the Commonwealth. In many countries the relationship between Government and civil society is still disfigured by an atmosphere of mutual suspicion and distrust.

Many civil society bodies developed because they could not influence the political process.

Politics, in any country, will never be totally harmonious. There will always be arguments and debates – after all, that’s what politics is all about.

But in this day and age, political parties cannot ignore the power of civil society. And if they do, they will end up paying the price.

5. In previous speeches I have stressed the importance of the work of Parliamentary Committees. Despite the work of the CPA there are still Commonwealth Parliaments without properly functioning committee systems. All Commonwealth Parliaments should have committees for the scrutiny of legislation, for the examination of government accounts and have reasonable powers of investigation.

Opposition members must be able to play a relevant part in the Committees, even if they never have a majority of the votes. They are also elected by the people and must represent the people.

I look forward to the day when all Commonwealth Parliaments have effective Select Committee systems that give the people greater confidence in the Parliamentary system and democratic institutions.

6. I equally look forward to the day when there is no longer under-representation of women. It is wrong in itself and it undermines the credibility of the democratic system. Democracy means gender equality and we need to see steady and regular progress on that front.
7. And my last point: The last year has shown again how important it is that all Commonwealth countries make a clear distinction between the Government and the ruling party and that ruling parties should not unfairly exploit the advantages of incumbency for their own benefit.

I have made it clear to some leaders in some states that the abuse of state resources for party purposes must be brought to an end. I hope everyone here will dedicate themselves to that purpose, whether you are in or out of Government. It is something that the parties should reach agreement on, knowing they could be on either side of the fence.

As you have already heard from Denis, one of the major documents to have been produced in the last year by the Commonwealth Secretariat, together with the CPA and other Commonwealth organisations, is entitled “The Latimer House Principles”.

It concerns the accountability of, and the relationship between, the three branches of Government and argues for an appropriate separation between each. I commend it to you and I am pleased to hear that the CPA Secretariat has already circulated copies to all branches.

It is worth pointing out that these principles, most of which would be familiar to you, are unique in their origin: the process that led to their adoption was initiated by our own Commonwealth civil society organisations: the Commonwealth Parliamentary Association, the Commonwealth Legal Education Association, the Commonwealth Magistrates’ and Judges’ Association and the Commonwealth Lawyers’ Association.

This was an engaging interactive process providing an excellent example of how Commonwealth civil society could influence leaders’ decisions, that in turn clarified the balance needed between the Legislature, the Executive and the Judiciary.

These three branches of government – the tripod of any democracy – will each generate a certain amount of tension. They always have, they always will. The key is that each one must have respect for the role played by the other two – a real Commonwealth challenge.

Commonwealth Good Offices

But now let me also mention the Commonwealth Secretariat’s good offices role - using Commonwealth ‘quiet diplomacy’, Commonwealth Special Envoys and other forms of influence, to solve problems before they break surface and become more difficult to tackle will continue with renewed support from the Abuja CHOGM. We are working quietly behind the scenes in a

number of member countries to help them resolve divisive issues and promote stability as well as the Harare Principles.

Following on from the Maputo meeting which Denis mentioned earlier, we also plan to hold a series of major workshops in every other region of the Commonwealth on the theme 'Government and Opposition - Roles, Rights and Responsibilities'. As everyone here will readily recognise, this continues to be an area in which there is progress to be made in just about every Commonwealth country. We hope that our series of meetings will help, but we do recognise that with new players, new parliamentarians, this is a constant requirement.

I have spoken about democracy. I must speak about development too.

Sadly, international progress towards the achievement of the Millennium Development Goals remains too slow and I am afraid that Commonwealth countries are amongst those that need additional assistance. The mid-term review of progress takes place towards the end of next year. We are not on target – much more needs to be done and must be done now.

The Doha Development Agenda

I spoke earlier about priorities. The priority in combating global poverty must be to improve trading opportunities for the poorest countries. In turn, the key to that is ensuring the delivery of the Doha Development Agenda. Stress must be on the word "development" – it was promised, it must not be lost.

While I welcome the recent agreement at the WTO on the negotiating frameworks, there is still a long way to go. The priorities here must be:

- € Removing agricultural subsidies in the OECD countries: promises must be converted into action, and that means, no watering down of recent commitments by anybody. "Binding commitments" must now be developed, tabled and agreed to.
- € Poor countries must have improved access to the markets of developed countries: developing countries have already made considerable progress in removing *their* trade barriers to *their* markets so that developed countries can come in.

However, most developed countries have not reciprocated. It is time now for those developed countries to remove *their* barriers to *their* markets for those commodities that are produced by developing countries.

And let us not see those tariff barriers replaced unjustifiably by other restrictions (phyto-sanitary - the environment - labour standards, etc.)

- € The third area I want to highlight is known in the jargon as "special and differential treatment". What that means is that trade agreements must take into account the different levels of development and capacity in different countries.

The political imperative is to allow for reasonable adjustment periods, the finance needed to meet the costs of adjustment and the support and partnership that is required to build capacity so advantage can be taken of the new trade opportunities. Phasing out of uneconomic products from developed or developing countries will demand that all those who may lose out are treated in a reasonable way.

The case for putting development considerations such as these at the core of international trade agreements was argued in a characteristically robust and compelling manner by Nobel Prize

winner Professor Joseph Stiglitz earlier this year in a publication commissioned by the Commonwealth Secretariat.

The Stiglitz report presents a way forward based on both social justice and sound economic analysis. I commend it to everyone here.

However, I cannot leave it at that. There are three other elements which I want to highlight this morning:

€ developing countries need investment. To compensate for their so called “inherent handicaps” – such as location and size and now loss of Preferential Trade Agreements.

But we still need to find a way – and it may well require considerable imagination – to enable developing countries to compete for more private investment. Expanding the role of democratic institutions is a positive factor and we are working hard to achieve more.

€ I also want to highlight the need to supplement commitment to progress on trade with a corresponding commitment to ensuring that the Heavily Indebted Poor Countries can see those burdens rapidly reduced.

€ And I want to underline the need for much more international development assistance. Quite simply, there is too little of it – certainly not enough to make the achievement of the Millennium Development Goals a realistic prospect.

The end of the Cold War was supposed to have delivered a development dividend. Well, it's been a long wait and in these 14 years, the share of developed country GDP has fallen by about a third.

What is needed, according to the World Bank, is a doubling of the development assistance provided by the rich countries. The rich eighth of the world can afford to extend that helping hand to the other seven eighths. It must do so urgently – the cost of not doing so remains high.

Mr President, I am told that it is invidious to pick out any one particular country, but I am going to do so anyway.

I would like to take this opportunity to commend the UK Government for its call to use IMF gold to secure the complete cancellation of all multi-lateral debt for the Highly Indebted Poor Countries and its proposal for an International Finance Facility to double development assistance. I hope others will lend the UK the support it deserves for these important initiatives.

Finally, may I congratulate the CPA on its work with the WTO on trade. Your Association has helped many parliamentarians to familiarise themselves with the issues in the multi-lateral trade negotiations and with the workings of the WTO, the IMF, the World Bank and the other elements in the international economic architecture.

That brings me to the final thoughts I want to leave with you this morning.

First, few of our parliaments devote enough attention to international affairs. Consider the practice of Commonwealth countries in ratifying Treaties. In most cases, it's a rubber stamping exercise. Few treaties are debated and some don't get ratified if costly Parliamentary time is needed.

Most people become MPs for domestic political reasons, but foreign relations issues such as multilateral and bilateral agreements and the Doha Development Round have more impact on countries and people's lives than many local issues.

Do your Foreign Affairs Committees function as they should? Are you truly free to investigate these major issues, or do you simply receive information from Government? Are your committees able to talk to the heads of the World Trade Organisation, the UN, the World Bank or the International Monetary Fund about your country's problems and needs? As representatives of the people, do you have the same information as your Government officials or Ministers?

So – as Members of Parliament, you will never ignore the local agenda - it is increasingly important not just to understand international affairs generally but, specifically, understand the way in which those institutions work and the implications of the decisions they take.

Gone are the days when the Executive could take total and selfish ownership of these issues; this is your country, these are your challenges and global institutions are there for you – paid from your own pockets.

So we need to ensure that all of you, Members of Parliament, have the knowledge, the know-how and the experience required of all the relevant international agencies that affect your country, in order to be able to do your jobs more effectively.

The global problems the world faces today – be it security, terrorism, conflicts, trade barriers, sea boundaries or the environment – needs your scrutiny, your oversight, your knowledge and your wisdom.

Of course, I know these challenges sit alongside many important domestic issues, party political matters and the need to secure re-election, all of which have a justifiable claim on your time.

In short, we (at the CPA and the Commonwealth Secretariat) need to act to ensure that you, our Members of Parliament, have the means to address the international agenda in general and the agenda which is being set by the international economic bodies in particular.

Shortly after I assumed office in April 2000 I addressed the CPA Conference in Edinburgh. I remember reflecting at that meeting on the impact of one aspect of our work and I quoted the former Chinese Foreign Minister, Zhou Enlai.

Asked about the impact of the French Revolution he commented that it was “too early to say”.

Mr President, my other quotation that day was perhaps less amusing, but certainly more important. I referred to a belief which is central to Maori culture in my country. It can be summarised in the words “people pass away, but not the land: with care, it remains forever”.

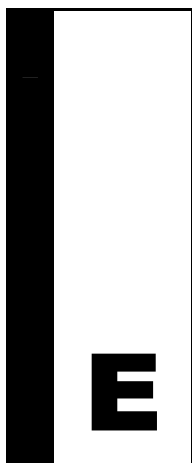
I believe that it's like that with our work to improve the world around us. People lose office, individual Parliamentarians and Secretaries-General do disappear from the political landscape. But like the land, with care, the democratic institutions and the development which we have worked hard to achieve will endure and flourish.

You are part of an important calling.

I wish you well in that, our common endeavour.

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## **Appendix E**

**Speech by the Commonwealth  
Parliamentary Association Secretary  
General, the Hon Denis Marshall QSO.**

**Speech by the CPA Secretary-General,  
Hon. Denis Marshall, QSO,  
50<sup>th</sup> Commonwealth Parliamentary Conference,  
Quebec City, Canada  
Saturday September 4<sup>th</sup>, 2004**

Mr President, Hon. Peter Milliken, MP, Mr Vice-President, Hon. Ratu Epeli Nailatikau, MP, Mr. Acting Chairman, Hon. Hashim Abdul Halim, MLA, Officers and Members of the Executive Committee, Your Excellency the Rt Hon Donald McKinnon, Hon. Delegates, ladies and gentlemen,

This session is an opportunity for me to brief delegates on the activities of the Association and for the Commonwealth Secretary-General to address you. There will then be an opportunity for questions.

Avant tout, j'aimerais remercier l'Assemblée nationale du Québec et M Michel Bissonnet, pour leur accueil si chaleureux. Quel plaisir d'être ici a Québec! Quelle region magnifique! Notre visite a Charlevoix et le merveilleux spectacle des « Saisons du Québec » ont créé pour nous des souvenirs inoubliables de cette si belle province.

I would like to add my own warm and sincere words of welcome to those extended at the Opening Ceremony yesterday. At the federal, provincial and territorial levels, Canada is, and has always been, a strong supporter of the Commonwealth and the CPA.

Our hosts for this Annual Conference are all fourteen Branches in the Canadian Region so it is a real team effort. Let me pay tribute to everybody involved in the organisation of the conference. I believe there are some 200 personnel involved representing the Parliament of Canada and all of the provincial and territorial Legislatures. I understand the difficulty of organising a conference for over 600 people involving three different venues — Ottawa, here in Quebec City, and Toronto. You set yourselves a real challenge and you are rising to the occasion magnificently.

It is a tribute to Canada's reputation as a host and a leading member of the Commonwealth that so many delegations wanted to attend. There were also many more applications to be Observers than could possibly be accepted. But the good news is the number of Branches paying their membership fees is at an all-time high as delegates realised they couldn't attend unless their Branch membership was up to date. Now that you have paid up – keep it up. You will want to participate in — and benefit from — the expanding range of other CPA programmes and services. You will also definitely want to attend the CPA conference in beautiful and friendly Fiji Islands next year.

While I am talking about delegates, I would like particularly to recognize the delegations from Pakistan and its provinces, the first we have had in four years. As you know, Pakistan was re-admitted to the councils of the Commonwealth in May. You will be

gratified to know that the CPA Executive Committee earlier this week in Ottawa accepted the applications from the Parliament of Pakistan and the Legislatures of Sindh, Balochistan and Northwest Frontier to return to active CPA membership, and their delegations are here today. We expect that the Provincial Legislature of Punjab, the remaining province, will advise us imminently that it too has resolved to rejoin CPA.

Most Members will be aware that Pakistan has put behind it many of the problems with democratic governance that led to its suspension from the Commonwealth and from the CPA. It was therefore vital that the CPA should extend to Pakistan's Assemblies and Members the support of the Commonwealth parliamentary community at the earliest possible opportunity, so the Acting Chairman of our Executive Committee and I paid an official visit to Pakistan in August - the first Commonwealth mission to the country after its return to active Commonwealth membership.

We met with President Pervez Musharraf, the Presiding Officers of the National Assembly and Senate, with senior Ministers and Members and with provincial Speakers and Members as well. Pakistan was enthusiastic about our offer to hold a seminar on parliamentary practice and procedure next year for its Members. Can I say welcome back to active participation in the Commonwealth, and thank you for the hospitality you showed to our mission just a few weeks ago.

We are honoured to have the presence again this year of the Commonwealth Secretary-General. HE Rt. Hon. Don McKinnon who was elected for a second four-year term by Commonwealth Heads of Government at their meeting in Abuja, Nigeria, last December.

Thank you, Secretary-General, for again making this conference a priority in your very busy schedule and for your continued interaction with the Commonwealth's parliamentary community. Your address to the conference has become a highlight of the programme in recent years. Members appreciate the frank and open manner in which you brief them on Commonwealth issues at this conference.

There is no doubt that your parliamentary experience as Chief Whip in Government and Opposition, Leader of the House, Foreign Minister and Deputy Prime Minister has enabled the Commonwealth Secretariat to focus on the importance of democracy at a parliamentary level. This has created the opportunity for the Secretariat and the Association to work together on a number of joint projects.

When you were first appointed, you said that the Commonwealth needed to be relevant to the lives of Commonwealth people. This statement is applicable to the CPA in our work to strengthen democratic processes and Parliaments as the principal institution of each Commonwealth democracy. Indeed, the Association's work is not only relevant but also critical in protecting the Commonwealth's democratic values. This is increasingly the view of governments, international organisations and civil society groups who are working with the CPA to deliver a range of programmes designed to help a third of the world's population to live in security, prosperity and equality.

It was especially the view of Commonwealth Heads of Government at their last meeting. The Aso Rock Commonwealth Declaration on Development and Democracy agreed by Heads of Government in Abuja in December 2003 commits Commonwealth governments to an agenda of programmes to strengthen the governance of member nations — programmes to promote: transparent public accounts systems, the right to free access to information, the protection of human rights, full participatory democracy including participation by women and young people, and enhanced democracy at the level of international decision-making.

These are programmes in which the CPA is already active and in which all Commonwealth Parliamentarians have not just an interest but also a role and a responsibility on behalf of their constituents and their countries. It is also an area in which Commonwealth Parliamentarians, through the CPA, have a proven track record of effective contributions.

Heads of Government in Abuja adopted the Latimer House Principles on “The Accountability of and the Relationship Between the Three Branches of Government”. These added fundamental Commonwealth principles are based on guidelines produced by a 1998 conference on relations between Parliament and the judiciary organized by the CPA in partnership with other Commonwealth organisations.

The Principles stress all branches of government must guarantee human rights and operate under the highest standards of honesty and accountability. They cover issues such as: improper pressure by the executive on the judiciary; the appointment and removal of judges; the independence of the legal system; the development of guidelines for ethical, transparent and accountable conduct, and gender issues.

Heads of Government also endorsed the contribution to parliamentary government made by the CPA’s wider programme of workshops, seminars, conferences and publications. This positions the Association to continue and expand its work in advancing democratic governance.

The CPA has undergone a transformation over the past five years in the range of programmes that are delivered. With just 14 staff and the invaluable support of national, state and provincial Parliaments as well as the Legislatures of dependent territories, the Association is currently organising an average of 2-3 projects per month to enhance the professional development of its Members and improve the effectiveness of its Parliaments.

There is an ever increasing demand for CPA programmes across our membership and, quite rightly, we are focusing first on supporting Branches where the need is greatest and the resources are scarce. There remains a huge gap between the few rich and many poorer countries and Parliaments in the Commonwealth: the majority of Commonwealth citizens live on incomes of approximately US\$2 per day and their Parliaments often lack the experienced Members and the financial and human resources necessary for them to do what they were elected to do — to improve the lives of the people who elected them.

As I said in Bangladesh last year, my belief is that membership of the CPA produces a significant and tangible benefit for Parliamentarians – not only in helping them to develop in a professional way, but also in contributing to the social and economic development of millions of people through greatly strengthened democracies.

Let me now give some examples of work undertaken by the CPA in 2004.

I listened to a delegate from a country without political parties at the Small Countries Conference say ‘In our Parliament all Members are elected as part of the Government. In spite of this some Members are more suited to Opposition.’ In January the CPA supported a Workshop on “Government and Opposition: Roles, Rights and Responsibilities” organised in Mozambique by the Commonwealth Secretariat for countries in southern Africa. Discussions at the Workshop focused on key questions such as the amount of assistance that should be provided to the Opposition to enable it to oppose effectively and what the idea of a ‘constructive opposition’ means in practice.

In many countries, Government and Opposition parties completely fail to reach an understanding on what the Commonwealth Secretary-General described last year as the “collaborative context” for their work. I am therefore pleased to report that this southern African programme will be extended to other Regions of the CPA in 2005/2006. Without doubt, developing a constructive working relationship between government and opposition is one of the major challenges facing parliamentary democracy today.

A further challenge is assisting newly elected Members who may lack experience in the workings of Parliament. The former Canadian Prime Minister, John Diefenbaker, once advised a group of new Members that “for the first six months after you arrive, you will wonder how you got here. After that you will wonder how the rest of the members ever got here”.

CPA Post-Election Seminars disseminate information on good Parliamentary practices and procedures. They provide Parliamentarians with a variety of options which have proven to be effective elsewhere. They also promote an understanding of the way parliamentary procedures and practices can embed good governance into the social conscience. Post-Election Seminars are not only a method of professional development for Parliamentarians; but they are also a way of strengthening Parliaments and democracy for the good of the people.

So far this year the CPA has organised Post-Election Seminars in Turks and Caicos Islands and Zanzibar. Post-Election Seminars are also planned for the Solomon Islands, Antigua and Barbuda and Barbados. The Secretariat is negotiating further Post-Election Seminars with a number of other branches next year.

Mr President, just as Parliaments and Parliamentarians do not work in isolation in the global community, the CPA does not conduct its programmes in isolation from the

intergovernmental world. In the area of trade, for example, we work with the World Trade Organization to maximize the impact of the parliamentary voice.

Parliamentarians have a critical constitutional role to play in this rules-based trading system. Parliaments are the principal democratic institution entrusted with ratifying trade agreements and enacting any consequent legislation. They communicate trade issues to the people whilst scrutinizing the actions of governments and influencing the direction and outcomes of trade talks. So in April this year, the CPA worked in partnership with the WTO to organise the third in the series of events for Parliamentarians.

The Workshop took place in New Zealand and was attended by Pacific Parliamentarians. Co-incidentally, it also provided an opportunity for them to build relations with each other as part of New Zealand's new role as secretariat to the Pacific region of the CPA.

The CPA is working with many other international organisations. There were two concurrent CPA events supported by international organisations in July: the first was a World Bank Institute-supported Study Group on Access to Information and the second a Caribbean Regional Seminar on The Budgetary Cycle, Oversight and Public Accounts Committees which was co-financed by the Canadian International Development Agency (CIDA).

In November this year, the CPA will start a project supported by the British Government's DfID to strengthen Parliaments in Commonwealth West Africa and promote the professional development of their Parliamentarians. The overall goal of the West Africa Parliaments Programme is to strengthen the democratic process in the five Commonwealth countries in the region by improving the conduct of parliamentary business especially in relation to Parliament's proactive involvement in poverty reduction strategies, combating corruption and ensuring public financial accountability.

We must recognise however that the CPA's relevance is not solely a reflection of the number of its new programmes, even if the growth of activities is to be applauded. Real progress in vulnerable legislatures can only be made where the technical assistance provided is sustained.

The Association is increasingly following up its ad-hoc training events with continuous consultation, technical assistance, monitoring and critique of participants' practical application of skills in which they have received training. Often in partnership with international organisations, the CPA is providing skills support in context *i.e.* during the actual design and implementation of strategy.

As way of illustration the Executive Committee has just approved a significant new undertaking by the CPA with the United Nations Development Program to provide technical assistance over a three-year period in the delivery of an agreed Solomon Islands Support to Parliament Project.



There is a wide variety of projects planned for 2005 including: a Study Group on the financing and management of Parliament; the start of a series of three-country gender workshops in the Pacific with UNIFEM; and a Satellite Workshop for Small States during the next Commonwealth Heads of Government meeting in Malta. Members will also be interested to learn of a planned update to our Survey of Commonwealth parliamentary Salaries and Allowances – one of our most requested publications!

All these programmes are of course supported by parliamentary publications to provide Members with relevant information on Commonwealth parliamentary, political and constitutional developments.

The Association has a new website-based system which provides accessible and useful information and links to CPA events. Since the last Conference in Bangladesh, we have also introduced a new newsletter – *First Reading* - which combines the former separate one-colour newsletters “CPA News” and “Parliamentary Update” into one full-colour newsletter on CPA activities and parliamentary developments. The format incorporates the new CPA logo and Commonwealth flags in a way similar to the CPA web site.

Mr President, the Governor General mentioned in her speech at the Opening Ceremony the importance of empowering youth. I wish to make special reference to a project being planned in Brisbane, Australia, in April 2005. The third Commonwealth Youth Parliament will provide a forum for around 80 to 100 young people to discuss and debate ideas, concerns and expectations with regard to the twin themes of democracy and development. I am grateful to the Parliament of Queensland for joining with us to give young people an opportunity to experience life in the parliamentary spotlight.

I would like to conclude by drawing delegates attention to some very important items that you will be considering at the General Assembly. These have been put forward by the Executive Committee whose ambition is to further strengthen the organisation of the CPA. Among the proposed amendments to the Constitution are two key changes:

- ## The recognition of the CWP with the Chair becoming an ex-officio member of the Executive Committee. For years the Association has wrestled with the issue of including the CWP Chairperson as a full member of the Executive Committee and it is my hope that this debate will end after the General Assembly in Canada. It is encouraging that there seems now to be broad agreement on the revised structure of the CWP.
- ## The recognition of CPA Regional Secretariats and Regional Secretaries. I believe this is critical to strengthening our parliamentary network to enable us to undertake more activities on your behalf.

A third issue which the General Assembly will be asked to approve is India’s status as a separate Region with three Regional Representatives. This has been a long-standing

proposal of the India Union and State Branches. While this will not change the number of the Indian Regional Representatives or increase the size of the Executive Committee, it will allow India to focus on the organisation of its 30 Branches under the CPA umbrella as a fully-recognised Region of the Association.

Delegates, I firmly believe that the programmes your Executive Committee has put in place over the last year together with the proposed changes to the structure of the Association will ensure that the CPA continues to make a difference to the quality and strength of parliamentary democracy in the Commonwealth.

Thank you very much, merci beaucoup.