Global state of democracy: how parliaments can rejuvenate democracy

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Thank you for inviting me and the International Institute for Democracy and Electoral Assistance (International IDEA) to speak at the Senate Lecture Series today. It is an honour.

I wish to acknowledge the Ngambri and Ngunnawal peoples as traditional custodians of the land we are meeting on and pay my respects to their elders past and present – and acknowledge all Aboriginal and Torres Strait Islander people who may be attending or following this talk.

As you may have noticed from my accent, I hail from Finland, specifically from Lapland, which is the home of the Sámi people – Europe's only Indigenous group. Unlike Australia, in Finland and the broader Nordic region, we don't have the beautiful tradition of commencing events or gatherings by acknowledging the traditional owners. Personally, I believe that we should adopt a similar practice.

Unfortunately, we have very little symbolism in Finland that recognises and honours the Sámi people, their rights, and their rich culture. But it is essential to note that Finland's Constitution does acknowledge the Sámi people, and we have a dedicated Sámi Parliament.

The same is true in other Nordic countries like Sweden and Norway which have Sámi parliaments and institutions that uphold and protect Sámi rights and culture. I will delve deeper into these institutions later in my presentation. In many respects, the journey of reconciliation in both Finland and Australia has only just begun.

Today is International Democracy Day – established by the United Nations (UN) General Assembly with a resolution adopted on 8 November 2007 to memorialise the Universal Declaration on Democracy.[1] The date itself, 15 September, was proposed by the Inter-Parliamentary Union.

This year's theme – *'Empowering the Next Generation'* – focuses on the essential role of children and young people in safeguarding democracy today and in the future.[2] Therefore, in the second part of my talk I will focus on parliamentary innovations around inter-generational

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1 *Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies*, GA Res 62/7, UN Doc A/RES/62/7 (13 December 2007, adopted 8 November 2007).

2 United Nations, *International Day of Democracy 15 September* (accessed 24 January 2024).

justice, environment and future generations, as well on representation and inclusion of youth and Indigenous peoples.

Global state of democracy 2022

I will start by providing you with a sneak peek to the latest findings of International IDEA's Global State of Democracy (GSoD) Indices and the forthcoming report which will be launched on 2 November 2023 in Stockholm.[3] I will then highlight the state of effective parliaments – globally, and in Australia – in reference to the GSoD data.

I should let you know that International IDEA is the only intergovernmental organisation with an explicit mandate to support sustainable democracy. International IDEA combines a diverse membership of countries, including Australia, but also India, Indonesia, Mongolia and the Philippines from Asia and the Pacific region and has a status as permanent UN Observer (a feature that reinforces the legitimacy of our actions).[4]

We work with the multilateral and national actors, including parliaments but also democracy defenders and civil society, in harnessing global action to defend and advance democracy. Our Asia and the Pacific regional office is located here in Canberra at the Australian National University campus.

The global state of democracy in 2023 is complex, fluid, and unequal. The intensity of democratic gains that had once seemed so promising have dulled over the past 2 decades.

In 2022, our data shows that countries with net declines in democratic performance have outnumbered those with net advances for the past 6 consecutive years, with 2021 the worst year on record.

Over the last 5 years, the most widespread, significant declines in democratic performance were observed in elections, parliaments, and judiciaries – the very key institutions meant to serve as checks and balances to the executive. These declines impacted every region of the world. It is probably fair to say that the deterioration in these institutions is a blow to the heart of democracy, affecting people's core ability to 'throw the rascals out', and the elected representatives' power to ensure that the executive does not step out of bounds, and judges' duty to uphold the law in fair and equal ways.

On fundamental rights, globally speaking, the overall declines were not significant. But stagnation at a low level is not a situation to celebrate or tolerate. Moreover, many countries experienced declines in the rights of expression, assembly and association, sometimes connected to deteriorations in security. In such contexts, the fundamental enabling conditions of democracy, including opportunities for debate and dialogue (which drive innovation), are at risk of disappearing.

Over time, such circumstances could wear down the ties that bind people together, potentially impacting civic engagement as well, as people are less willing to risk their security to be active members of their societies.

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[3] International IDEA, *The Global State of Democracy 2023, the new checks and balances*, 2023.

[4] See further, International IDEA, *About International IDEA* (accessed 24 January 2024).

But there are a few green shoots of hope.

After many years of stagnation in levels of corruption, the report finds that there were improvements in this area in countries across all regions of the world in 2022. The picture here is however dampened by the fact that while many of the countries are making progress on corruption, they are also suffering significant setbacks in other aspects of democratic governance.

Nevertheless, the trends here highlight opportunities to learn and implement new approaches to counter corruption. Africa leads with the largest number of country level advances, followed closely by Asia and the Pacific, and Europe.

Public participation remains the brightest hope for the future of democracy. It has remained at a surprisingly high level even in countries with a low level of democratic performance at an institutional level. The resilience of people's commitment to making their voices heard, even in the face of physical danger and serious political instability, as witnessed from Myanmar to Iran, is heartening.

Across the diverse countries of Asia and the Pacific, a broad decline in democratic quality appears to have halted, with the significant exceptions of Afghanistan and Myanmar. However, civic space remains under threat as freedom of expression and of the press, and freedom of association have declined across many countries. After peaking in 2011, freedom of the press has now reverted to 1999 levels.

Across the region, ineffective parliaments and crackdowns on organised civil society have left the judiciary, anti-corruption commissions, and at times mass street protests, and even military restraint as the key constraints and balancing mechanisms.

Democracies in the Pacific, which is a renewed focus of geopolitical tension between the United States and China, saw no significant declines. But in years to come they may see their institutions tested by these outside pressures.

In short, democracy is still in trouble: stagnant at best, and declining in many places.

Before zooming in to what the Indices say about the state of effective parliaments, just a few words about what the Global State of Democracy Indices are and what they measure.

At International IDEA, we understand democracy as a broad concept and one that can have many very different manifestations, depending on a particular society's history, culture and set of priorities. Although there are core tenets of democracy, the way these are operationalised and the way they look in different places can vary widely. There is no such thing as a perfect democracy.

Since 1975, we have measured the extent to which a country has realised aspects of democratic ideals in 4 categories – representation, rights, rule of law and participation – and their sub-attributes.

The goal is to assist policymakers, analysts, scholars, journalists and civil society to assess and compare the quality of democracy. The Indices can also be used to monitor progress on the Sustainable Development Goals (SDG), including SDG 16 which also measures progress on effective and accountable institutions at all levels.

While some primary data collection is conducted within International IDEA, much of the data is taken from 20 other publicly available data sources, Varieties of Democracy data set being the largest. The data set and documentation are freely available for download from the International IDEA website.[5]

What is perhaps noteworthy is that unlike many other global democracy indices, we also measure basic welfare, denoting the extent to which there is access to fundamental resources and social services, such as citizens access to nutrition, social security, healthcare and education.

The GSoD is also largely an expert assessment – it does not measure people's perceptions on democracies, or people's trust on institutions, like for example the world's value survey does. We have recognised this gap and are in fact adding people's perceptions index to complement the overall analysis in the coming year.

This years' *Global State of Democracy Report* will be focusing on the role of what we call 'countervailing institutions' in stopping the erosion of democratic institutions and reacting to the entrenchment of authoritarian forces.

The term goes beyond the traditional understanding of 'checks and balances' to encompass those governmental and non-governmental institutions, organisations and movements that check the aggrandisement of the executive – and balance the distribution of power.

Countervailing institutions are relatively new institutions like human rights commissions and electoral management bodies, as well as civil society networks, popular movements, and investigative journalists, that play an irreplaceable role in ensuring democracy continues to be of and by the people.

What is positive is that in many places of weakened democratic foundation, such countervailing institutions, like anti-corruption commissions, have been able to step in. What is worrisome is that some of the formal countervailing institutions, particularly the traditional 'checks and balances' through the separation of powers, have been suffering.

Effective parliament

Over the last 5 years, the world has witnessed the most widespread, significant declines in 2 of the bedrocks of democratic governance: credible elections and effective parliaments.

This is worrying as these institutions serve dual purposes: they are both at the heart of thriving democracies and key to mitigating decline.

Critically, these declines in effective parliaments are a reversal of a longstanding positive trend that held until only a few years ago.

Legislatures should be the first line of defence against executive overreach. It is here where elected political parties and representatives can, if the need arises, investigate and sanction the executive branch. The legislative branch is also where elected representatives work to reflect people's needs in laws and system design.

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[5] International IDEA, *Global State of Democracy data set and resources* (accessed 24 January 2024).

In many contexts, electoral processes have been marred by disparities in fairness, the exclusion of marginalised communities, the weakening of electoral management bodies, and irregularities in voting and result tabulation.

These challenges undermine the essential role of elections as mechanisms to hold unresponsive governments accountable – the peoples' power to 'throw the rascals out' if they so wish. Furthermore, these problems are exacerbated by weak parliaments that find it challenging to curtail excessive actions by the executive branch.

In our methodology, when we assess the effectiveness of a parliament, we gauge its ability to effectually oversee the actions of the executive branch. So, this indicator is not measuring for example how representative or inclusive the parliament is.

Over the last 5 years, parliaments have struggled to exercise their oversight functions, and significant declines have impacted countries across the political spectrum.

Outside of extreme political crises, like the wave of military coups in several places in Africa and in Myanmar, some high-performing democratic countries such as Japan and Slovenia and mid-performing nations such as Argentina, Greece, Nigeria, India and Nepal have also seen drops in parliamentary effectiveness over the last 5 years.

In contrast, the European region offers inspiration, with 5 of the region's 12 countries demonstrating advances in the effectiveness of parliaments over the last 5 years. High-performing Czechia, Slovakia and Bulgaria and mid-range performing Moldova and Armenia have all seen improvements.

The state of democracy in Australia

Turning now to Australia which remains a high-performing democracy in every measure in the GSoD Indices except civil society.

While remaining well above the global average score in absence of corruption, Australia is yet to regain its standing following declines observed beginning in 2012, which showed weak regulatory structures in combatting foreign bribery and public sector corruption.[6] It is important to note, however, that our data is not yet capturing for example the formation of the National Anti-Corruption Commission, which started its work this year.

There are also declines in some other respects, like media integrity, which is likely due to Australia's concentrated media ownership regulations.

In the realm of effective parliament, Australia is the top performer among its peers – the United States (US), the United Kingdom (UK), Canada and New Zealand (NZ).

The US, despite the serious drop in 2015, still sits slightly above Canada, which may look a bit surprising – albeit this might reflect what we call 'trouble at the top'. All these countries, globally speaking, are performing relatively well, albeit not improving – underlining the fact that there is no place for complacency.

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[6] Cat Barker, Corruption and integrity issues, *Briefing Book: Key Issues for the 45th Parliament*, Parliamentary Library, 2016, p. 184.

Representation measures, in addition to effective parliament, includes 5 other aspects; credible elections, inclusive suffrage free political parties, elected government and local democracy.

In comparison to its peers – Australia is doing well both in terms of representation and parliamentary effectiveness.

New Zealand features on the top, closely followed by Australia, the UK and Canada, with the US below the other 4.

However, in relation to civil society, Australia is behind these other countries. This aspect assesses to what extent civil society organisations are free and influential and the extent to which voluntary, self-generating and autonomous social life is institutionally possible.

Parliamentary innovations

We can see that effective parliaments play a critical role in ensuring democratic governance and, importantly, accountability. Parliaments are the cornerstone of a functioning, healthy political system.

So, let me now turn to some of the innovations, considering where, and how, parliaments can be sources of rejuvenation of democracy, with a focus on inclusion and representation of future generations, youth and Indigenous peoples and finding solutions to some of the most pressing challenges of our time, like climate change.

As we know, the short-term nature of election cycles provides little incentive for political leaders to sacrifice immediate benefits in favour of long-term future goals. There is also the challenge of underrepresentation of some groups in decision making, such as young people, Indigenous peoples and women, even when the decisions most affect them.

Some innovations seek to extend some kind of democratic representation to future generations or even non-human others, using proxies or trustee representatives who can 'speak for' these un-represented entities. Others try to deepen democratic participation through greater public deliberation between citizens, experts and stakeholders, to inform decision-making by law and policy makers in parliament.[7]

Parliaments have developed different institutions that suit their systems of government. They can be organised in 3 broad categories:

1. parliamentary committees of the future
2. independent parliamentary commissioners
3. citizens assemblies.

[7] Amanda Machin, 'Climates of democracy: skeptical, rational, and radical Imaginaries', *Wiley Interdisciplinary Reviews: Climate Change,* vol. 13, issue 4, 2022, e774.

1. Parliamentary committees of the future

The number of parliamentary committees of the future is increasing, as is cross national collaboration, evidenced by the first World Summit of the Committees of the Future, held in Helsinki in 2022.[8] The second World Summit is to be held in Uruguay this September (2023).

A study made by the Finland Parliament discovered that out of 80 countries looked at, some futures related work was done in 43 parliaments. Of these, 8 were assessed to have so broad a mandate that they matched the idea of a committee of the future despite operating under some other name.[9]

One example comes from Finland itself. The Finland Parliament's Committee for the Future was established in 1993 on the initiative of representatives in the then parliament. It has since been placed on a permanent footing by constitutional amendment. It has 17 members, all Members of Parliament (MPs), selected after each election.

The committee is responsible for Parliament's Future Report, which is a response to the Government's Report on the Future and the Agenda 2030 Report. It may be invited to provide opinions on other proposals, or act on its own initiative. It does not reactively examine legislative proposals, but rather takes a proactive approach and focuses on identifying broader long-term issues that affect the future, usually by undertaking thematic studies.[10]

Some of the questions the committee has decided to work on are:

- how can we, the people of today, help the people of the future to achieve a balance between human activities and the limits of our planet?
- how can we secure people's access to reliable information?
- how to spread the training of future skills – our cognitive structures, values and beliefs of what is possible?
- how to develop such resilience-providing future skills into a civic skill which is equal to literacy?

Timeframes are not only in 10–20 years, but also in 100 years. The committee is interested in increasing understanding on whether someone living in 2223 experiences their body and physical health as well as humanity and communality in the same way as someone living in 2023.

I found the questions asked by the parliamentary committee very interesting:

- what does it mean for the individual to have a good future?
- of what is hope born?

Examining the future at the individual level is also one of the priorities selected by Finland's Committee for the Future.

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[8] Parliament of Finland, *The World Summit of the Committees of the Future 2022*, 2022.

[9] Parliament of Finland, *The World Summit of the Committees of the Future 2022*, 2022, p. 6.

[10] Parliament of Finland, *The World Summit of the Committees of the Future 2022*, 2022, pp. 55–58; Paula Tiihonen, 'Power over coming generations: Committee for the Future in the Eduskunta, the Parliament of Finland', in Alexandra R Harrington, Marcel Szabó and Marie-Claire Cordonier Segger (eds), *Intergenerational justice in sustainable development treaty implementation: advancing future generations rights through national institutions*, Cambridge University Press, United Kingdom, 2021, pp. 400–403. See also Parliament of Finland, *Committee for the Future* (accessed 24 January 2024).

Germany has a Parliamentary Advisory Council on Sustainable Development (the council). Established in 2004, its legal basis is in recurrent decisions of the parliament, each term. The council has 17 members, drawn from all factions in the parliament.

Its functions are to 'monitor and assist' the federal government's sustainability policy by setting indicators and objectives. The council can also present opinions and recommendations to other parliamentary committees, the parliament or government itself.[11] An important part of its role is to evaluate sustainability impact assessments, which must accompany all government bills. The council describes itself as a 'watchdog', as they themselves say, 'it barks as soon as an initiative fails to bear in mind the National Sustainability Strategy'.[12]

In Uruguay, the Futures Commission is examining 'The Future of Work and the Work of the Future'.[13] In Canada, the committee plans to investigate deep technologies, such as artificial intelligence, as well as the role of technology in helping manage migratory movements resulting from various types of crises.[14] In Iceland the committee is looking at the future of democracy and demographic transition using strategic foresight and scenario planning.

2. Parliamentary independent commissioners

Several countries have established independent commissioners, some of whom serve as officers of the parliament, to represent the interests of entities not directly represented in parliament, such as the environment or future generations. The role of a commissioner is to bring sustainable development/intergenerational justice/environmental protection to the heart of parliamentary law-making and government policy, counterbalancing the short-term focus of parliament.

Some commissioners are set up outside the parliament, for example in government ministries such as Malta's Guardian of the Future,[15] or as a separate body, such as the Future Generations Commissioner for Wales.[16] In Wales, the *Well-being of Future Generations (Wales) Act 2015* requires public bodies in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems such as poverty, health inequalities and climate change.

Wales is the only country in the world with an Act on Wellbeing of Future Generations. This institution in Wales is attracting a lot of interest around the world but as it is not connected to the parliaments – I will not discuss it more here. But I encourage anyone interested to check them out.

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[11] Franz Reimer, 'Institutions for a sustainable future: the German Parliamentary Advisory Council on Sustainable Development' in Alexandra R Harrington, Marcel Szabó and Marie-Claire Cordonier Segger (eds*), Intergenerational justice in sustainable development treaty implementation: advancing future generations rights through national institutions*, Cambridge University Press, United Kingdom, 2021, pp. 380–382.

[12] Deutscher Bundestag, *Parliamentary Advisory Council on Sustainable Development* (accessed 24 January 2024).

[13] UNDP, *The Special Commission on Futures presented its 2022 agenda*, 8 April 2022 (accessed 24 January 2024).

[14] Parliament of Canada, *House of Commons Standing Committee on Industry and Technology* (accessed 24 January 2024).

[15] Global Network of National Councils for Sustainable Development and Similar Bodies, *Country Profiles: The Guardian of Future Generations (proposed 2011; forthcoming)* (accessed 24 January 2024).

[16] Future Generations Commissioner for Wales, *Acting today for a better tomorrow* (accessed 24 January 2024).

One example that is more closely tied to a parliament is NZ's Parliamentary Commissioner for Environment, which was established in 1986 as a statutory office under the Environment Act. At the time it was established, the Commissioner was unique in the world.

As an officer of the parliament (alongside the Auditor General and the Ombudsman), the Commissioner for Environment reports directly to the parliament as an independent and non-partisan advocate for environmental management. The Commissioner may investigate matters where the environment may be or has been adversely affected and advise on preventative or remedial action. The Commissioner may also be asked by the parliament to report on draft legislation or conduct inquiries on matters that significantly affect the environment.[17]

Israel and Hungary have also established independent commissioners. However, these examples show the vulnerability of commissioners to watering down by political actors over time. In Israel, the Commission for Future Generations was established in 2001, but worked only to 2006, when no new commissioner was appointed to replace the inaugural commissioner. The office was dissolved by law in 2010. One of the reasons given for the end of the Commission was that MPs felt that they, as representatives of the people, should have the free choice to decide what is good or bad for future generations.[18]

3. Citizen assemblies

A third category of innovative process is climate-focused citizen assemblies. A citizen assembly or 'mini-public' is a representative group of citizens (usually randomly selected to ensure wide representation) who gather over an extended time to discuss and propose solutions to important and complex public issues.

They are organised to promote deliberation, by presenting information from experts and then facilitating *collaborative* discussion among delegates to reach solutions that reflect the wider public interest. There is a growing number of citizens assemblies tasked with deliberation on the issue of climate change, generating comparative knowledge on what they are, and how they are most effective.[19] There exists for example Knowledge Network of Climate Assemblies, and closer to home, interesting work done by Nicola Curato from Centre for Deliberative Democracy and Global Governance at the University of Canberra.

Citizen assemblies on environment have been held at country and city level, mostly in Europe, with a few elsewhere.[20]

Apart from climate change, citizen assemblies, including what is called deliberative polling have been organised in Iceland, Mongolia and Ireland in the context of constitutional amendments. Most are set up as one off, ad hoc assemblies, although the UK Sustainable

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[17] Parliamentary Commissioner for the Environment (accessed 25 January 2024).

[18] Shlomo Shoham and Friederike Kurre, 'Institutions for a sustainable future: the former Israeli Commission for Future Generations' in Alexandra R Harrington, Marcel Szabó and Marie-Claire Cordonier Segger (eds), *Intergenerational justice in sustainable development treaty implementation: advancing future generations rights through national institutions,* Cambridge University Press, United Kingdom, 2021, p. 336.

[19] Graham Smith, *Climate Assemblies – Key Features*, Knowledge Network on Climate Assemblies website, 16 December 2022.

[20] Knowledge Network on Climate Assemblies, *Map of Climate Assemblies* (accessed 25 January 2024).

Development Commission has made a proposal for a standing citizens assembly called the Congress of the Future.

This congress, composed of randomly selected citizens, would be convened by parliament once a year. The government or parliament would put the issue/s in need of debate before each congress to deliberate. The commission suggests that the Congress of the Future would provide:

> *Long term thinking enshrined at the heart of our democratic process, raising awareness, creating political space, and generating action on the biggest issues of our time. The Congress of the Future is a way of giving adequate attention to the long term in what has become an overwhelmingly short-term political world.*[21]

This example, although not put into practice, is interesting as it creates a standing link between the citizens assembly and the parliament.

Innovations in representation and inclusion

Representation of young people

An Inter-Parliamentary Union study shows that the global proportion of MPs aged under 30 was just 2.6 % in 2021.[22] Young people are typically under-represented both in the electorate and in parliament. The reasons for this include a high minimum voting age, the way in which positions of power tend to be concentrated among older, established citizens, and an ageing population – in many parts of the world – accounting for a growing proportion of older voters. In addition, there is frequently lower voting engagement of the young generation in jurisdictions where voting is not compulsory.

Reforms and possible changes include lowering the voting age, usually from 18 to 16. These changes are under debate and discussion in NZ and Canada, and a reality in Austria, Brazil and Scotland, for example.

Non-governmental organisations (NGOs) and other organisations increasingly work to involve children and young people in their decision making. Many public and private organisations – including policy makers and governments – have youth advisory panels, to provide advice on issues affecting young people.[23] This is something that parliaments or individual MPs might consider. Youth parliaments, which are forums for young people that replicate parliament, are common. The purpose is usually educational, providing participants with knowledge and experience in how parliaments work. But they can also work to highlight the policy issues and solutions prioritised by young people.[24]

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[21] Sustainable Development Commission, *Breakthroughs for the twenty-first century*, 2009, p.15.

[22] Inter-Parliamentary Union, *Youth participation in national parliaments*, 2021, p. 7.

[23] OECD, *Engaging young people in open government – a communication guide*, 2018, p. 18.

[24] See Inter-Parliamentary Union, *Youth participation in national parliaments*, 2021, p. 50, which states that youth parliaments are reported in 56 % of parliaments around the world. In Australia, see the YMCA Youth Parliament in each state. In New Zealand, see New Zealand Government, *Young people to have their voices heard in Youth Parliament 2022*, 8 September 2021 (accessed 15 May 2024).

One concern with these kinds of models is that they are 'top-down', distant from the real decision making, and the challenge of 'translating listening into action'.[25]

A different way in which some countries have sought to improve the representation of young people in parliament is through quotas. For example, in Kenya, 12 MPs are nominated by political parties to represent special interest groups, which include youth, as well as other categories. In Uganda, 5 seats are reserved for people under 30 years of age, and in Rwanda 2 MPs are elected by the National Youth Council.[26] Quotas that operate through party lists are found for example in Lithuania, Mexico and Sweden.[27]

Indigenous representation

Indigenous representation has received a lot of attention in Australia with the proposal for the Indigenous Voice to parliament, a constitutional change to be put to referendum on 14 October 2023.

There are several examples of parliaments that include or work with Indigenous representative bodies.

As mentioned in the beginning of my talk, Sámi parliaments exist in Norway, Sweden and Finland. They are established by legislation and are elected by voters registered on a Sámi electoral role.

In Norway, the Sámi Parliament is an independent body to develop policies, based on its mandate from the Sámi people. It is the 'prime dialogue partner for the Norwegian government in its Sámi policy' and has administrative responsibility in matters concerning language, culture, and education.[28]

In Sweden, the Sámi Parliament has a dual role, as a body of elected representatives and as an administrative agency of the state, to administer certain government programs.[29]

In Finland, the Sámi Parliament may put initiatives and make proposals to Finnish government authorities. For the last several parliamentary terms, the Sámi Parliament has been proposing amendments to the voter roll eligibility criteria, and to the mandate of the parliament. These proposals hopefully moving forward during the parliamentary tenure.[30]

Other interesting examples include Vanuatu and the Marshall Islands where the parliament can or on certain issues must consult a Council of Indigenous leaders regarding law-making or appointments.[31] It is to be noted that the parliaments in both countries are not bound by law to accept the changes or recommendations – only to consult.

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[25] Julia Pitts, 'Are we giving the voice of the future a word in the present?' in Alexandra R Harrington, Marcel Szabó and Marie-Claire Cordonier Segger (eds), *Intergenerational justice in sustainable development treaty implementation: advancing future generations rights through national institutions*, Cambridge University Press, United Kingdom, 2021, p. 262.

[26] The Electoral Knowledge Network, *Youth and elections, quotas for youth* (accessed 25 January 2024).

[27] OECD iLibrary, *Youth representation in politics, Government at a glance 2021* (accessed 25 January 2024).

[28] The Sámi Parliament of Norway (accessed 25 January 2024).

[29] Sámi Parliament of Sweden, *Background: the State and the Sámi Parliament* (accessed 25 January 2024).

[30] Sámi Parliament of Finland, *The Sámi Parliament – decision-making* (accessed 25 January 2024).

[31] In Vanuatu, the Malvatumauri Council of Chiefs is established by Chapter 5 of the Constitution. In Marshall Islands, the Council of Iroij is established by Article III of the Constitution.

As these examples show, Australia is not alone in developing innovative ways to recognise and include Indigenous peoples in law and policy making.

Other developments in Indigenous representation draw on special measures, such as reserved seats or quotas, to guarantee the representation of Indigenous peoples in parliament. Examples of reserved seats arise in NZ, where the Māori Representation Act requires that 4 members of the House of Representatives be Māori, elected by Māori voters, and in Colombia, where 2 senators are elected in a special national constituency for Indigenous communities.[32]

An example of quotas through the electoral system is Nepal, where the Constitution requires parties to ensure representation through a closed list system for various groups, including women, Dalit, and Indigenous peoples such as Khas Arya, Madhesi, Tharu, Muslims and regional quotas, based on population.[33]

Gender representation and inclusion

These examples focusing on inclusion of youth and Indigenous peoples echo in many ways the older debate on gender equality, which remains to be resolved.

Parliaments are uniquely placed to address current challenges and advance gender parity – not only through the numerical balance of women and men, but through the type of decisions made by all MPs.

MPs – whether they are women, men or non-binary – can use their oversight and legislative scrutiny to eliminate gendered discrimination (even if it is unintentional or indirect), and ensure that the actual impact of laws, policies, programmes and funds on women and men is monitored.

A gender-sensitive parliament can respond to the needs and interests of women and men alike and removes barriers to women's full participation. An updated definition, from Sonia Palmieri, demonstrates that parliaments must move from passive responsiveness to an active pursuit of gender equality:

> *A gender-sensitive parliament values and prioritizes gender equality as a social, economic and political objective, and reorients and transforms a parliament's institutional culture, practices, and outputs towards these objectives.*[34]

There are many examples of innovations in gender-sensitive scrutiny of law-making and accountability across the world.[35]

In Timor-Leste a parliamentary resolution passed in 2009 requires all parliamentary committees to use and promote gender budgeting instruments and methods and establishes

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[32] For these and other examples see International IDEA, *Indigenous Peoples' Rights in Constitutions Assessment Tool*, 7 August 2020, pp. 99–103.

[33] Constitution of Nepal, article 84.

[34] Organization for Security and Co-operation in Europe, *Realizing gender equality in parliament, a guide for parliaments in the OSCE region*, 6 December 2021, p. 15.

[35] For these and other examples see Hanna Johnson, *Gender-Sensitive scrutiny: a guide to more effective law-making and oversight*, Inter Pares, 2022.

a parliamentary process that assigns roles to the different actors involved. Each budget is now accompanied by a gender statement.[36]

The Swedish Riksdag (Parliament) does not have a specific committee on women's rights or gender equality. Rather, all committees are responsible for considering gender. The Speaker's Gender Equality Group promotes gender equality internally through training, research, events and support to individual MPs.[37]

Fiji's Parliament was one of the first to provide for gender scrutiny in its standing orders. All committees must consider gender equality, to ensure that the impact of laws and policies in all areas on both men and women is considered. Every committee report contains a 'gender analysis' section.[38]

In 2007, the Costa Rican Legislative Assembly established a permanent administrative body, the Technical Unit of Equality and Gender Equality to promote gender mainstreaming in all legislative work. It provides training and expert advice, while also coordinating institutional action on gender mainstreaming and developing strategies for communication with civil society.

It is fair to say that, globally, gender equality hangs in the balance and parliaments need to play their part. Gender equality and inclusion is essential to rejuvenation of democracy.

Conclusions

How can we work to prevent democratic decline and make sure that representative democracy can respond to and anticipate the biggest challenges of our time, caused by climate change or technology, or some other crisis?

How can we make sure that those who are most affected by the future consequences of the decisions made today are included in the decision making, one way or the other? All while we are still trying to figure out how to achieve gender equality and representation of the historically excluded groups?

While Australia consistently ranks as a high-performing democracy according to global indices, there is no room for complacency. Civil society is an area with room for improvement. Australia's peak on democratic performance was in 2012.

I have discussed just some examples of innovative approaches by diverse parliaments to improve the engagement of both current and future generations in decision-making processes, and in doing so improving also civic engagement.

Today's global challenges demand longer-term planning than the conventional lifespan of parliamentary tenures. Democracies must not only ensure that their parliaments remain effective and representative but also pioneer new avenues for citizen engagement, drawing on learning from Indigenous practices.

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[36] UN Women, *Timeline of key gender responsive budgeting milestones in Timor Leste*, 2021.

[37] See Lenita Freidenvall and Josefina Erikson, 'The speaker's gender equality group in the Swedish Parliament – a toothless tiger?', *Politics, Groups, and Identities,* vol. 8, issue 3, 2020, pp. 627–636.

[38] See Parliament of Fiji and UNDP, *Scrutinising legislation from a gender perspective: a practical toolkit* (accessed 25 January 2024).

The pressures facing representative democracies are both real and widespread. Declines in electoral integrity and the effectiveness of parliaments, which are the bedrocks of representative democracy, serve as a warning sign. At the same time, democracies must prove their ability to address existential crises like climate change while ensuring decent living conditions for all.

The linkages between effective, accountable, and transparent institutions, the rule of law, justice for all, and sustainable development are integral to the Agenda 2030 and are of concern for all.

The Asia Pacific region confronts a multitude of challenges, including economic recession, rising food and fuel prices, and growing inequality, contributing to social tensions. Alongside these issues, there are concerning declines in various aspects of democracy, from fundamental rights to the shrinking space for civic engagement, as well as challenges to electoral integrity, parliamentary oversight capacity, and judicial independence.

Australia's new development policy rightly emphasises support for civil society and climate change mitigation in our region. However, for civil society to thrive, we must also strengthen core democratic institutions such as parliaments, judiciaries, anti-corruption bodies, election management bodies and human rights commissions. These institutions are vital safeguards for protecting democracy and ensuring equitable representation.

We must heed the voices of democracy defenders, civil society groups, youth, Indigenous peoples and regional parliamentarians.