



**Appendix F – Submission to the inquiry
into Human Rights and Good Governance
Education in the Asia Pacific Region from
the Speaker of the House of
Representatives**



Speaker of the House of Representatives

The Hon Neil Andrew MP

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The Secretary
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Thank you for the invitation to make a submission to the Human Rights Sub-Committee's inquiry into human rights and good governance education in the Asia Pacific region.

The House of Representatives and the parliamentary departments for which I am responsible are involved in a number of initiatives aimed at assisting other parliaments in the Asia Pacific region. Many of these initiatives are undertaken in association with international parliamentary or democratic organisations or with other parliamentary departments, especially the Department of the Senate and the Parliamentary Library. There are three principal educational areas in which we have some involvement:

- assisting parliamentary staff with the good governance of their respective legislatures;
- education or training of members of parliament to help them build strong parliamentary institutions and operate effectively as members in a democratic parliamentary system; and
- informing citizens and public servants about the parliamentary system and how they can most effectively interact with it.

Informing citizens

The third listed educational area is carried out almost exclusively within Australia but the experience we have gained has to some extent been shared with other parliaments through publication of papers in specialist journals and presentations at international parliamentary conferences.

The Parliamentary Education Office which is jointly funded by the Departments of the Senate and the House of Representatives is specifically established to develop understanding of our parliamentary system among students in Australia.

In 1997 the Department of the House of Representatives began a seminar series aimed principally at public servants and others whose work brings them into contact with the House of Representatives. The seminars, entitled 'About the House', 'About Legislation', 'About Committees' and 'About Parliamentary Consideration of the Budget', have a key aim of improving understanding of the House's operations in order to improve the effectiveness of interaction between the parliament and government. The seminars are conducted on a cost recovery basis mainly in Canberra although they have been held in Melbourne and one is planned for Hobart in 2003. An extension of the seminar program commenced in 2002 with lectures being presented to university students.

Working with other national parliaments

The Department of the House of Representatives strives for best practice in administering and supporting the House of Representatives and the parliamentary institution. The Clerk and parliamentary staff are always happy to share their experience and knowledge with other parliaments especially in the Asia Pacific region. For many years the department has provided detailed briefings and training for parliamentary staff visiting from other parliaments, tailored to each visitor's stated needs. Various committees and MPs frequently meet with visiting parliamentarians to discuss issues. The department also routinely responds to requests for advice or information from other parliaments.

More specific initiatives are detailed below. Examples provided in each case concentrate on activities in the Asia Pacific region but the House of Representatives Department is also involved in work in other developing areas, notably Africa and most recently Kosovo.

Inter-Parliamentary Study Program

Prior to 2001 the Australian Parliament hosted approximately 12 visits from officials of other parliaments. A program of briefings covering all relevant areas was prepared for each visit. In 2001 a new Inter-Parliamentary Study Program was introduced which allowed 12 to 15 parliamentary officials to be invited to participate in a program together. The study course will be held annually (the second has recently been completed) and involves a comprehensive introduction to Australian parliamentary administration. It runs over most of two weeks with the first week dedicated to formal presentations and group discussions and the second week offering programs of informal individual meetings and briefings based on each participant's stated interests. The program is based on a similar one run by the Canadian Parliament and does not preclude people visiting at other times. The first course run in 2001 had participants from Canada, Ghana, Hungary, Nigeria, Papua New Guinea, South Africa, South Australia, South Korea and Wales.

The main aims for the program were to improve the effectiveness of the study programs provided by the Australian Parliament for visiting officials and increase the efficiency of program visit administration.

The benefits anticipated for the participants are:

- an opportunity to mix widely, establish contacts and exchange views on a variety of parliamentary and political systems;
- an opportunity to consider the role and working of their own parliament and observe the relevance of Australian management practices to the administration of their legislatures; and
- an overview of Australia's system of government, the functioning of the federal parliament, its key players, management of business, legislative process, committee system, publications, and the organisation of parliamentary support services.

The program is focussed on ensuring representation from a range of parliaments from those with highly developed parliamentary institutions to those that are still developing their parliamentary frameworks. In keeping with the overall focus of the Australian Parliament with regard to training and development, participation by parliaments from our region (South East Asia and the Pacific) is always a priority. This program is viewed as a valuable means of

assisting with strengthening parliamentary institutions, both directly through training provided to parliamentary staff and the development of networks for on-going support.

A comprehensive evaluation was carried out after the first program which revealed very positive feedback from the participants. The ability to mix, discuss and establish contacts in such a varied group was particularly valued.

A copy of the program for the 2002 course and an overview of the course is at attachment A.

Commonwealth Parliamentary Association (CPA) activities

Participation in conferences, working parties, colloquiums and seminars

The Commonwealth Parliamentary Association has a stated purpose to promote knowledge and understanding of the constitutional, legislative, economic, social and cultural systems within a parliamentary democratic framework. It fosters cooperation and understanding among members of Commonwealth parliaments and promotes the study of and respect for parliament. The Commonwealth of Australia Branch of which most Members and Senators are members participates in many CPA sponsored activities including conferences, regional conferences and seminars, and workshops. The Clerk participated, on invitation, in a CPA working group on the training of parliamentary staff which produced a range of training materials which may be used by member parliaments. More recently the Clerk was a member of the CPA team which presented a post election seminar in Kenya and, in February this year, was unable to accept an invitation to join a CPA post election seminar in Zambia due to the opening of this parliament. Some recent examples of CPA activities in the Asia Pacific region include:

- *26th Joint Australian and Pacific Regional Conference (Adelaide, July 2002)*—This conference is held on a biennial basis and was attended by a range of parliamentarians with varying experience from both Australia and the Pacific. The issues discussed are determined in consultation with Branches but normally have a very strong parliamentary focus. At the Adelaide conference topics included the role of a new member, the role of the whips, parliamentary and constitutional reform, and the development of parliamentary committees in Fiji. These conferences serve to facilitate the exchange of information and experience related to the effective operation of legislatures and assist in improving the effectiveness of individual parliamentarians. They also encourage the development of valuable networks.
- *CPA Pacific Regional Seminar for Parliamentarians on Practice and Procedure (Wellington, New Zealand, February 2002)*—This seminar was aimed at parliamentarians from the Pacific, specifically inexperienced parliamentarians. This is an ongoing process made necessary by the significant turnover of parliamentarians in most Pacific parliaments. While this was a one-off exercise aimed purely at Pacific parliamentarians, the CPA also sponsors a similar exercise involving both Pacific and Australian parliamentarians on a biennial basis. The next joint seminar is due to be held in 2003 and will be jointly hosted by New Zealand and Samoa.

At the request of the CPA, the Australian Parliament also sends experienced parliamentarians to workshops organised by the CPA on a range of subjects in various locations around the world. These parliamentarians are invited on the basis of their expertise and usually attend as facilitators or workshop chairs.

Study tour to Australia

Each year the Commonwealth of Australia Branch of the CPA hosts a study tour of parliamentarians from Pacific nations. The study tour is jointly funded by the Commonwealth of Australia Branch and the Working Capital Fund of the CPA. Features of the study tour are:

- participating members visit the Commonwealth Parliament and usually two State or Territory parliaments of varying sizes;
- the tour is intended for members of parliament rather than parliamentary staff;
- the tour group usually consists of between six and ten participants from three or four Pacific parliaments selected on a rotational basis. Parliaments are invited to participate but selection of individual participants is the responsibility of the invited parliament. Selection of less experienced parliamentarians is encouraged;
- the tour provides opportunities for participants to learn how Australian parliaments operate including practice and procedure, committee systems, administration and the work of a member. They also have the opportunity to exchange views with Australian parliamentarians and officials.

The study tour has been in operation since 1985 and is considered a successful initiative in assisting the Pacific region parliaments understand and develop their role. A copy of a report on the 2001 study tour prepared for CPA headquarters at attachment B provides more detail on the objectives and program of a sample tour.

CPA Australian region trust fund

Following the hosting of the CPA's annual conference in 1988 by the combined parliaments of Australia, agreement was reached by the hosts to use excess funds to establish a trust fund. Funds for the trust were derived from various sources associated with the conference including all of the State and Territory parliaments (except the ACT which was not then a member but has since contributed). The fund was established to provide training and other forms of assistance to parliaments of developing Commonwealth countries particularly those within the Pacific region. An annual program of activities is prepared based on invited proposals. In general the trust funds are used for:

- the conduct of training seminars for parliamentarians and parliamentary officers;
- secondments of parliamentary officers to Australian parliaments;
- visits by members and parliamentary officers from Australian parliaments to benefiting parliaments with an emphasis on training and an exchange of views on areas of common interest; and
- provision of books, materials and equipment for use by benefiting parliaments.

Some examples of trust fund sponsored activities in the region in 2002-03 include:

- *Cook Islands*—Training provided by an Australian based parliamentary officer for members on the Constitution and standing orders. An attachment for a Cook Islands parliamentary officer in Australia to study practice and procedure.
- *Fiji Islands*—Training attachments in Australia for a research officer, librarian and sector committee secretary. A training seminar in Fiji for members and parliamentary staff. Provision of a range of IT equipment.
- *Kiribati*—Attachment in Australia for Parliamentary Counsel for training regarding his or her role, legal matters and drafting private members' bills. The provision of recording machines.

- *Niue*—Training to assist development of a practice and procedure book for the Legislative Assembly. The provision of mini-recorders for committee meetings.
- *Papua New Guinea*—Training attachment for PNG librarian in the Commonwealth Parliamentary Library. Training attachment for human resources officer. Training attachment for Hansard officer in a State parliament in Hansard production and indexing methods.
- *Samoa*—Training for members concerning parliamentary practice and procedure, questions, motions and general debates. Provision of a conference stand alone sound system with recording equipment.
- *Tonga*—Training for a computer operator to manage computer activities in the parliament. The provision of Hansard transcribing machines to assist shorthand writers.
- *Tuvalu*—Training for senior Hansard officer and Second Acting Clerk Assistant.

Inter-Parliamentary Union (IPU) activities

The Australian Parliament is a member of the Inter-Parliamentary Union, an international organisation of parliaments of sovereign states. The IPU is a focal point for world-wide parliamentary dialogue and works for peace and cooperation among peoples and for the firm establishment of representative democracy.

The Australian National Group of the IPU has been involved in sponsoring visits of parliamentary staff to the Australian Parliament to study the operations and management of this parliament. Most recently two parliamentary staff from the National Parliament of East Timor were funded for a study program with the Australian, NSW and ACT parliaments. A copy of the program is at attachment C. This proved a valuable follow up to the contribution of Australian parliamentary staff in the capacity building project undertaken during the transition period of UNTAET management detailed below.

An affiliate of the IPU, the Association of Secretaries General of Parliaments, of which the Clerk of the House is currently President, also sponsors programs for staff of developing Parliaments. An Australian parliamentary officer is currently on a six month attachment to the Assembly of Kosovo arranged through the Association.

Work with other organisations

Capacity building in East Timor

During the period of transition to self-government in East Timor, the UNTAET contracted the provision of capacity building training and assistance in the public sector. The contractor was Illawarra Technology Corporation Limited (a University of Wollongong enterprise) who subcontracted senior staff from the Australian and New South Wales Parliaments to develop and present a training package for members and staff of the National Council of East Timor. AusAID was also involved in the provision of broader assistance across public sector and governance matters.

The then Clerk Assistant (Committees), Mr David Elder, with an officer from the NSW Legislative Council, was involved in the provision of training for members and staff of the National Council in areas covering characteristics of parliamentary government, the legislature, parliamentary procedure, passage of legislation and parliamentary committees. Later Ms Gillian Gould of the House of Representatives Committee Office with officers from the Senate and NSW provided training for the National Council secretariat staff in both

parliamentary matters and office procedures and administration. Details of the scope of services provided by Mr Elder and Ms Gould and a report by Mr Elder are attached at D. The training team worked with the staff and members of the fledgling parliament to help them develop their own procedures and build skills to run their own parliament.

Centre for Democratic Institutions (CDI)—Parliamentary officials course 2002

The Centre for Democratic Institutions is funded by AusAID and works in promoting democracy and training in good governance in the Southeast Asia and Southwest Pacific regions. It is based at the Australian National University (ANU) in Canberra. In 2002 the CDI commissioned a three week intensive training program for mid-level parliamentary officials convened by the Graduate Program in Public Policy at the ANU. The course was aimed at experienced officials of regional parliaments (people from Indonesia, Thailand, Cambodia and Vietnam comprised the first intake) and is intended to be held annually. The course covers the Australian political system, supporting the legislative, scrutiny and international relations functions of parliaments, public budgets, Territory and local government, electoral matters and a range of workshops and institutional visits.

The Department of the House of Representatives, along with other parliamentary departments worked with the ANU to develop the program and presented a number of sessions of the course. A copy of the program is at attachment E.

Assistance to Indonesian Parliament

With the agreement of myself and the President of the Senate, the CDI initiated a training program with the Indonesian Parliament (DPR) in 1998. An officer of the Parliamentary Research Service conducted an initial scoping study and recommended assistance be provided with the development of parliamentary research services, support for committees and legislative drafting. Initially 12 Indonesian parliamentary staff were selected to attend a two week training course in Australia in 2000. The course was specifically developed for them focussing on their own work responsibilities and providing them with an opportunity to be introduced to the broad range of services provided in the Australian Parliament.

In 2002 a group of senior level officers, including the head of the Parliamentary Research Service and the Clerk of the House, visited the DPR. The central objective of the visit was to build on goodwill engendered by the first round of training in Australia and seek to establish an ongoing working relationship between the Parliaments of Australia and Indonesia. A particular objective was to identify areas where cooperation and/or training could be initiated. The visit made a number of recommendations which are being considered and/or implemented, including, for example, a permanent place for an Indonesian official on the annual Inter-Parliamentary Study Program described above.

The Australian Parliament will continue to work with the CDI to assist the DPR in its transition to a more democratic framework.

The UNDP and assistance to Fijian Parliament

Through the auspices of the United Nations Development Programme (UNDP) based in Suva the Australian Parliament, including the Department of the House of Representatives, has provided regular assistance to the Fijian Parliament and other Pacific nation parliaments.

In 1998 and 1999 officers from the House of Representatives, the Senate and the Parliamentary Library prepared and presented seminars for members of the Fijian Parliament. The 1998 seminar covered aspects of parliamentary committees and the 1999 seminar was

specifically for newly elected members of parliament and covered a wide range of topics. A report on the 1999 seminar is at attachment F. The officers who presented the 1999 seminar also prepared and presented a workshop to a Fijian school giving an introduction to parliamentary representation and the purpose of parliament. The teaching materials for this were developed with the assistance of the Australian Parliamentary Education office and were to be used by Fijian schools as part of an ongoing UNDP Fiji Parliament Project.

Since the disruptions in Fiji in 2000 the UNDP has commenced new programs for good governance in Fiji and the Pacific and the Australian Parliament has again provided assistance. Mr Garry Nehl, a former Deputy Speaker of the House, visited Fiji to chair workshops and assist with facilitation of training programs for members of the Fiji Parliament following the Fijian elections. The UNDP has also requested the services of an officer from the Parliamentary Library to design a project for the parliamentary component of its Fiji Good Governance Programme.

Staff from the House of Representatives and the Senate also contributed significantly to the presentations and outcomes for the inaugural Pacific Regional Conference on Governance for Parliamentarians sponsored by the UNDP in 2000. The major objective of the conference was to begin a process whereby Pacific legislatures might strengthen their internal operations and enhance their legitimacy and role in good governance. An outcome of the conference was the establishment of a Pacific Speakers' Forum to meet regularly to determine principles of best practice in all aspects of parliamentary functions.

Conclusion

The Australian Parliament and the Department of the House of Representatives have a long record of support for other parliaments in the region. The Clerk and departmental staff always respond as positively as they can to requests for assistance. The examples set out in this submission reflect only a part of the work which has been done over recent years.

The main constraints on the provision of assistance are, as always, funding and the availability of appropriate staff to participate in projects. The latter is an important consideration as I am of the view that assistance provided by fellow practitioners is far more valuable than any that can be given by professional trainers or presenters. Our parliamentary staff are increasingly developing skills and experience in this type of educational work and there are return benefits and satisfactions in broadening understanding of different parliamentary situations and building friendships. However in these times of tightening budgets and continuing pressure to improve productivity, the capacity to provide increasing services outside this parliament is not unlimited.

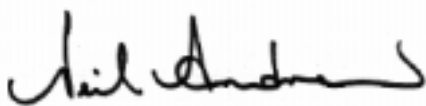
Improving access to technology, especially electronic communications and the Internet, across the region is helping to streamline preparations for visits and attachments and enhance follow up in educational projects. Effective use of technology can to an extent relieve pressure on resources but should not replace opportunities for face to face discussion and experience on the ground.

Working with other organisations such as the UNDP or CDI can also relieve pressure on resources if those organisations are able to provide all the administrative and organisational support for a project with parliamentary staff simply providing their specialist expertise. This may be especially true if the other organisation, like the UNDP, has a continuing presence in the beneficiary country and established relations with the parliament there. Partnerships can be an effective way to provide these services. In addition cooperation among Australian

parliaments has led to a larger pool of people being available to support requests for assistance.

An issue of which the Australian Parliament is always conscious in providing assistance to smaller or developing countries is the need to avoid the appearance of big brother or having all the answers. It is important that each national parliament develops solutions and practices which meet its needs. For this reason I particularly support initiatives which improve skills as well as provide information (for example the capability building program in East Timor) or which help small parliaments to support each other (for example the Pacific Speakers' Forum).

Both I and the Clerk of the House would be happy to provide further information or speak to the committee about these issues.



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