



**Report of the Canadian Parliamentary Delegation to the 56th
Commonwealth Parliamentary Conference**

**Canadian Branch of the
Commonwealth Parliamentary Association (CPA)**

**Nairobi Kenya
September 10 –19, 2010**

Report

The delegation of the Canadian Branch of the Commonwealth Parliamentary Association which attended the 56th Annual Conference of the Commonwealth Parliamentary Association in Nairobi, Kenya from September 10-19, 2010, has the honour to present its report.

56th CPA Conference, Nairobi, Kenya

More than 800 parliamentarians and parliamentary officials from approximately 175 member national, state, provincial and territorial Parliaments and Legislatures around the Commonwealth attended the meetings in Nairobi as guests of the Parliament, government and peoples of Kenya from September 10- 19, 2010. The Canadian Branch was represented by the following delegation:

- Mr. Russ Hiebert, M.P., Chair of the CPA Canadian Branch
- Hon. Raynell Andreychuk, Senator, Canadian Region Working Party Representative
- Hon. Maria Minna, PC, MP, Chair, Commonwealth Women Parliamentarians (CWP) Canada and CWP Steering Committee Member
- Mr. Joe Preston, M.P., Regional Representative, Executive Committee (EXCO)
- Hon. David Smith, Senator
- Ms. Carole Freeman, M.P.

The Canadian Branch delegation was an integral part of the 36-member Canadian Region delegation to the Conference which also included representatives of the provincial and territorial legislative bodies of the Canadian Region.

On September 9, the first meeting of the CPA working party took place on the issue of modernization of the association. As the **Hon. Raynell Andreychuk, Senator**, Canadian Region Representative on the Working Party was unable to attend the meeting, **Ms. Fatima Houda-Pepin, MNA, First Vice-President, Québec** represented the Canadian Region at the meeting. As Chair of the Commonwealth Women Parliamentarians-Canadian Region, **Hon. Maria Minna, P.C., M.P.** participated at the CWP steering committee meetings on September 10. As Regional Representative on EXCO, **Mr. Joe Preston, M.P.** attended the EXCO meetings held on September 11.

Several delegates from the Canadian Region arrived in time to participate as either delegates or observers at the Small Branches Conference from September 11-12. During the Small Branches Conference from September 11-12, the following topics were discussed during the plenary sessions:

- Energy and Environment: Achieving Sustainable Development
- The Effect of "Political" Corruption in Small States
- The Challenges of Sovereignty in Small States

- Accountability – Strengthening Oversight in Small Parliaments.

29th Small Branches Conference

First Plenary: Energy and Environment: Achieving Sustainable Development

Delegates regarded this topic as vitally important and argued that the current state of energy consumption and the concomitant effect on the environment is not sustainable. With climate change advancing at an alarming rate, small states too often suffer a disproportionate share of the consequences and more funds are required from developed nations to assist developing nations to combat the effects. Participants highlighted that sea-level rise and the warming of the North were but two examples cited with very real and dire consequences if global warming is permitted to continue unabated.

Delegates agreed that access to sustainable energy is a necessity not only to protect our environment, but also to improve the economic development opportunities of small states. Demand for sustainable energy opportunities and sustainable food production go hand in hand. Governments must be mindful that developing sustainable energy projects may not be done in isolation of the realities of a real and growing food shortage.

Delegates discussed that there is considerable pressure on the world's arable land base and the focus of development of new energy technologies without sacrificing land used for food production. Alternatives to present methods of energy production were discussed, including: solar power, wind power, biomass and bio-diesel production, tidal generation, geothermal, nuclear and hydro electric opportunities.

Energy is essential for industry to thrive, for transport, lighting, agriculture, space heating, domestic use and for the whole of the economy. In meeting these increasingly challenging demands, Parliamentarians, in establishing and contributing to policy development in this area, must also balance the protection of our environment in realizing sustainable development.

Second Plenary: The Effect of “Political” Corruption in Small States

“Political” corruption is an issue which affects all countries, both large and small, and which can undermine democracy and retard good governance. This view was repeated in this session as the Discussion leaders and delegates engaged in a lively and constructive discourse on a potentially thorny subject. The issue focused on the abuse of political and public powers for personal and private gains. Many delegates indicated that, within their own countries, their concerns ran more toward unethical behaviour and the perception of possibly corrupt or illegal practices by their constituents and/or local media, rather than toward actual cases of serious or major corruption and criminal activity on the part of elected officials. Throughout the session, an overriding sentiment coming to the fore was the general frustration of many delegates at what seems to be a growing perception among many of their constituents that corrupt practices and self-serving agendas have become the norm for many elected officials. These perceptions, whether generated by known instances of public corruption at home and elsewhere or by inferences made in the media, can impact on their ability to govern effectively while

also surviving and succeeding politically. Delegates spoke of the need for transparency and accountability, and for elected officials and public officers to be more conscientious about good governance practices, both individually and collectively. It was stressed that it is not enough to just refrain from clearly illegal and corrupt activities: it is also important to strive to avoid any appearance of unethical or questionable behaviour that could be misinterpreted or that could be portrayed in a malicious light by political opponents or the press.

Third Plenary: The Challenges of Sovereignty in Small States

Despite the communality of the subject for small states, the three discussion leaders put forward different perspectives on the challenges of sovereignty in small states in an extremely lively and sometimes passionate session.

Delegates viewed with concern the United Kingdom's suspension of the Turks and Caicos Islands' constitution and the removal of its democratically elected government. While mindful of the serious challenges facing the people of the Turks and Caicos prior to the U.K.'s intervention, delegates encouraged the U.K. government to make the restoration of democracy for the people of Turks and Caicos a demonstrated priority. The challenges to the ability of a state to govern itself were identified as size, geographical location, governance and constitutional arrangements.

Interdependence was seen as the way forward, but sovereignty cannot be described simply in political, legislative and economic terms. Environmental sovereignty regarding climate change and the protection of natural resources, and cultural sovereignty are also important elements. This led to a discussion on the values, national pride and soul of a community. Small states have to consider whether independence, an increased international personality or joining a larger geographical entity offers viable solutions.

Fourth Plenary: Parliament and Accountability – Strengthening Oversight in Small Parliaments

During the plenary, it was noted that while some legislatures have established substantive organizations such as independent commissions against crime, misconduct and corruption, often these are costly to operate and staff, and for small Parliaments such costs may be beyond their ability to provide. The creation of Public Accounts Committees and Auditors-General can be very effective and less costly. While Public Accounts Committees and Auditors-General are powerful tools, it was noted that it is important to supplement these tools by improving the environment for accountability generally. Whistle-blowing legislation was highlighted as a very useful tool.

Delegates agreed that Parliaments should look at their own procedures and try to move away from scrutiny being reactive to one of it being proactive. Also, it is important that adequate time be provided for the Legislature to consider budgets.

Commonwealth Women Parliamentarians Meeting

The Status of Women in 2010

CWP Session 1: Strategies to Increase Women's Representation in Parliament

All Canadian Region women delegates attended the Commonwealth Women Parliamentarians (CWP) Business Session which was held on September 13.

Delegates agreed that representation of women in leadership is critical for development and democracy in any country. Women Parliamentarians noted that despite increases in female representation, progress has been slow and women still struggle to acquire and maintain leadership positions. Culture and traditions were identified as the main challenges to the low representation of women.

Strategies to improve female representation were advanced with examples from India, Wales, the Caribbean and the Americas. Strategies put forward included: affirmative action in terms of quotas or reserved seats especially at the political party level; increased access to leadership and media skill training; expanded scope for women at the grassroots level; and synergized efforts to fight terrorism and violence against women. Other strategies proposed included: the formation of cross-party parliamentary women's groups; reforms to existing laws to promote gender equity; partnerships with the media and civil society organizations; the reform of electoral systems to adopt proportional representation and the creation of campaign schools.

There was agreement that there is a need to expose young women to parliamentary activities so as to boost their confidence and prepare them for political life. Discussion leaders called on women to support each other if they are to increase representation in leadership positions.

CWP Session 2: Enhancing Participation of Women in Decision-Making Processes

Recent democratization of societies leading to political, social and economic transformation adds impetus to women's struggle for greater influence in public life. Discussion leaders including the **Hon. Maria Minna, P.C., M.P.** provided a critical analysis and review of the barriers women encounter which included:

- Legal mechanisms that are unresponsive to women;
- Attitudinal, cultural and structural impediments in society that ostracize women and deter upward political mobility;
- Economic disparity between men and women;
- Non-democratization of political parties and lack of practical policies to address gender issues;
- Women's access to technology and media;
- Violence against women running for political office, and

- Lower education levels and opportunities and a deliberate lack of leadership capacity-building for women.

Women Parliamentarians concurred on the effective tools to promote women in politics such as: mentorship opportunities; establishment of a women's wing in political party structures; caucuses for women Parliamentarians; quotas and reserved seats and financial assistance to women seeking nomination. Delegates agreed that affirmative action cutting across all sectors was deemed the best action to favour women.

CWP Session 3: Women as Migrant Workers

Discussion leaders noted that the global context of migration is rapidly changing with globalization of economies and demand for low-wage services leading to a large increase in the number of female migrants. This increasing "feminization" of migration has turned the spotlight on the unique challenges women migrant workers encounter.

The general view of delegates was that emerging migration trends impact on gender roles which are a departure from the traditional view of women as social producers and wives. This is leading to change in family structures as women migrant workers become financially empowered. Delegates commented that existing international conventions and protocols fail to address the special circumstances of female migrant workers who are usually more exposed to human rights abuses than male counterparts. Women parliamentarians were urged to be vigilant and press their governments to sign and ratify relevant conventions. The session was unequivocal in insisting that governments should revise legislation to transform women migrant workers from victims to victors. Migrants are looking for basic human rights including safety, a home and an enabling environment to provide for themselves and their families.

CWP Session 4: Reform of Political Parties – Working towards Democracy

Delegates agreed that effective political party structures are central to democratic ideals and the effective functioning of electoral systems. Furthermore, political party reforms can also accelerate female participation in democracy and decision-making. Kenya's new constitution was lauded by delegates for its reformist orientation including reforms to political parties.

Delegates noted that gender equity in all leadership roles is the entry point to kick-start political party reforms. Equity in party leadership positions is a major step in the democratization of a society. Delegates highlighted that a proportional system helps in entrenching female participation in party echelons. The session reiterated that agitation by women for equity is continuing to redefine what democracy ought to be. It was agreed that participatory democracy must also cascade to women's participation and representation in all decision-making levels including in socio-economic structures. Delegates suggested that a breakthrough could be achieved through, among others: the training of trainers; communication skills training and grant-financing for women candidates.

Opening Ceremonies of 56th Commonwealth Parliamentary Conference

On September 14, 2010, **His Excellency Hon. Mwai Kibaki, C.G.H., M.P, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya** officially opened the 56th Commonwealth Parliamentary Conference. **Hon. Kenneth Marende, E.G.H.MP, Speaker of the Kenyan National Assembly and CPA President** addressed the participants and extended a warm welcome to all.

As is the usual practice at the Annual Conference, the Secretary General of the Commonwealth, **Mr. Kamalesh Sharma** and the Secretary General of the CPA Secretariat, **Dr. William F. Shija** addressed the delegates following the official ceremonies. Both concentrated their remarks on the general themes of the Conference and the years of close cooperation between the CPA and the Commonwealth Secretariat on issues of mutual interest and concern.

Canadian delegates participated in the following workshops:

- The Role of Parliament in Peace Building: The Case of Kenya in Addressing Post-Election Violence in 2008
- The Role of Parliamentarians in Natural Disaster Management
- Energy and Environment: Achieving Sustainable Development
- Parliament, Accountability and the Role of Internet: Governance in Strengthening Oversight
- The Role of Parliamentarians in Facilitating Grassroots Projects
- The Role of Parliamentarians in the Protection of Migrant Workers
- The Global Water and Food Crisis
- How prepared is the Commonwealth for the Emerging New World Economic Order?
- Commonwealth Initiatives in Handling Migration Issues

Commonwealth Members agreed to urge their Parliaments and governments to maximize their Commonwealth connections to share policy experiences in the development of principles and guidelines which will be benchmarks for the 54 member nations and for the entire world. Climate change counter-measures, environmentally sustainable energy production, protection of food and water sources, domestic peace-building, responses to natural disasters, access to information, migration rules, economic development in the new world order, the advancement of women in all decision-making roles and the protection of the environment, economies and sovereignty of small states are all areas where Commonwealth collaboration will produce dividends and strengthen the global role of the Commonwealth as a force for good in a troubled world.

Workshop A: The Role of Parliament in Peace Building: The Case of Kenya in Addressing Post-Election Violence in 2008.

There was consensus among delegates that election-related conflicts were not new to Kenya and other democracies. However, the 2008 post-election violence in Kenya was the most severe in the country's history. It was noted however, that Parliament was instrumental in establishing the coalition government and in ensuring its sustainability and success. This demonstrated that members inevitably play a critical role in achieving a durable peace which is linked to the existence of credible democratic institutions and enhanced government accountability. Initially, in Kenya, state-sponsored violence was used as a tool for manipulating election results. The workshop heard that with properly elected governments, Parliaments held an enormous responsibility and capacity to stem conflict and ensure the existence of an all-inclusive society. The role of legislating is key in creating a framework for addressing historical injustices, political stability and sustainable peace. However, it was explained that members do not yet perform this role perfectly. To stem future reversals, participants concurred that the following are imperative: the focused implementation of Kenya's new constitution, the enhancement of multi-stakeholder fora, the entrenchment of a culture of constitutionalism and the promotion of continuous peace-building processes, even in the absence of potential conflicts.

Workshop B: The Role of Parliamentarians in Natural Disaster Management

It was agreed that Commonwealth Parliamentarians must ensure that governments cooperate to learn from past mistakes, both in disaster management policies and practices as well as in environmental policies, to ensure the catastrophic effects of natural disasters are minimized rather than exacerbated.

Parliamentarians were urged to help educate the people and to pass effective legislation to check the unlawful damage people do to themselves and the environment, damage that makes the effects of natural disasters worse. They should work together to share ideas to help identify the best solutions. Pakistan, for example, has constituted a Special Committee on Disaster Management to frame laws not only to establish responsibilities, but also to suggest genuine actions to reduce the effects of disasters by improving response times and increasing assistance. Unlike the response to the 2004 Indian Ocean tsunami, the workshop was told that countries took longer to respond to the flooding in Pakistan.

It was noted that Parliamentarians can help people to understand the grave consequences of environmental degradation. While countries have disaster management plans and policies in place, the session noted that actual preparedness levels can be very low. It was agreed that countries need to move from policies to implementation and action in order to address disasters effectively. In addition to mainstreaming disaster management in development planning, it is prudent that countries emulate best practices and draw lessons from those states that have suffered catastrophic disasters in recent history.

Parliaments were singled out as the best avenue to engage in high-level advocacy to press for government actions. At the same time, it was noted that Parliaments need to

sustain linkages and networks, and participate in global platforms to address issues. Noting that climate change and human activity have played a significant role in disasters, participants recommended that the CPA should have an on-going programme on climate change and disaster management.

Workshop C: Energy and Environment: Achieving Sustainable Development

The main focus of the discussion was on seeking solutions on how to better balance environmental management and protection with energy and resource development. It was noted that some countries do not proceed with development at the expense of the environment and that the demand for energy can nevertheless be met in a way that respects and maintains the natural environment. The safety of land, air and water is paramount. Delegates agreed that strict reclamation standards and financial guarantees can be used to ensure that companies restore all land to ensure it can be productive again. The workshop was told that fossil fuel burning has contributed significantly to the production of ozone-depleting substances which have led to global warming and unsustainable use of natural resources.

The delegates agreed that climate change has changed the world by causing, among others; the loss of crops, declining productivity, reduced food security, increased water scarcity, increased challenges to energy access, risk to poverty alleviation, inability to produce some valued crops, loss of houses in flood-prone areas and the increase of diseases like malaria. It was agreed that the Commonwealth must develop strategies on sustainable energy technologies and also make the adaptations necessary to bring these technologies into smaller jurisdictions to create a healthy population and enhance the quality of life for all.

Workshop D: Parliament, Accountability and the Role of Internet: Governance in Strengthening Oversight

The delegates attending this Workshop agreed that the CPA ought to ensure that information communication technology be embraced by all member states. It was suggested that this could be achieved by including aspects of information access as a benchmark of the Association. The workshop heard of the World Bank's governance and anti-corruption strategy of March 2007 and the key pillars of this strategy. The delegates also discussed the impact of the internet on society.

Parliamentarians were urged to embrace the use of information technology to enhance parliamentary oversight. While the need to have access to information was applauded and the importance of the internet stressed, delegates cautioned that there is a particular need to keep children safe when they use the internet.

Most speakers emphasized the importance of information technology as a means to enhance transparency and act as a deterrent to corruption. Participants in the Workshop also discussed the challenges of use of the internet in overseeing policies and programmes related to poverty, infrastructure issues, age and low access.

Workshop E: The Role of Parliamentarians in Facilitating Grassroots Projects

Delegates hailed the role played by Parliamentarians in facilitating grassroots projects. They urged the CPA to publish information on the best practices in the use of constituency development funds in various countries. It was agreed that the CPA should share knowledge to create Benchmarks on the subject. The need to entrench full public participation and probity were seen as key to the success of grassroots projects. The workshop also discussed the challenges related to the effectiveness and sustainability of grassroots projects, including the questions of accountability and transparency, efficiency, equity, co-ordination and institutionalization of these projects. The challenges were not seen as insurmountable.

Participants argued that, although grassroots projects may be seen as political tools and may be unpopular with some aid donors, their significance in creating equity amongst all Members of Parliament in representation is enormous.

Workshop F: The Role of Parliamentarians in the Protection of Migrant Workers

The participants discussed the issue of migrant workers with a focus on respect for their human rights as it was noted that most are exploited and discriminated against. The primary role of Parliamentarians is to legislate, therefore it was suggested that they should enact anti-trafficking laws that impose heavy sanctions against human trafficking and protect migrant workers and all citizens. It was also suggested that Parliamentarians must amend outdated laws to ensure the human rights of migrant workers are not violated. Additionally, Parliamentarians were urged to initiate education against negative behaviour and hostility such as racism or xenophobia directed at migrant workers. Countries also were encouraged to view migration positively and have flexible laws that seek to streamline migration flows.

Noting that bilateral and multilateral relations or regional caucuses on migrant workers are important, Parliamentarians were encouraged to foster these partnerships. Participants noted that it is common for refugees from neighbouring war-torn countries to become migrant workers in the countries where they seek asylum. As Parliamentarians are in part responsible for maintaining peace and stability in their own countries, it was suggested that the CPA should develop principles and guidelines on migrant workers that all Commonwealth countries will be expected to respect.

Parliamentarians were also urged to focus on tackling challenges such as unemployment, low education levels, poverty and increased rural-to-urban migration that cause workers to move in search of better conditions. Dual citizenship, which has led to an increase of migrant workers, can also prove to be a challenge.

It was agreed that Parliamentarians have the ultimate responsibility of protecting both legal and illegal migrant workers from exploitation and the violation of their human rights. Migration must no longer be regarded only as an issue of economics as it is a human rights issue as well.

Workshop G: The Global Water and Food Crisis

Highlighting the various food and water crisis scenarios currently being experienced around the world, participants noted that population is a key factor in food and water

shortages. There was a general consensus that population growth, industrialization and urbanization are not only depleting lakes, rivers and aquifers, they are also polluting them.

It was noted that the state of food security and water accessibility in many nations is an indicator of the ever-increasing burden on governments to sustain the livelihood of their people. Food security is also a major water-resource issue as food production consumes the vast majority of fresh water resources.

Human-induced global warming was identified as a likely cause for increased risk of hunger and famine, especially among the world's poor. It was noted that during recent years, the global food problem has worsened partly from the steep escalation in the price of fossil fuels and partly due to emerging weather problems arising from climate change. The workshop was told that water shortages threaten to reduce global food supply by more than 10 per cent in the next 25 years. Global water use rose six fold between 1900 and 1995 – twice the rate of the increase in population. Demand for food is expected to rise by 50 percent over the next 20 years and will double during the next 50 years. In order to meet this demand, Members agreed that the use of scientific knowledge and technological advancement in the field of agriculture must be enhanced and shared among all nations. Delegates suggested that governments should also provide adequate funds to the agricultural sector. It was also agreed that careful management of water resources should be on the top of every government's agenda so soil, water and climate are managed sustainably. Delegates agreed that governments should promote the sustainability of water resources and consequently food security. Members were concerned that the workshop should not be just any other "talk-shop" but should lead to the fruitful implementation of resolutions. Members agreed that a taskforce on global water and food crisis should be established under the auspices of the CPA to examine proper management and sustainability of water resources which will lead to food security.

Workshop H: How prepared is the Commonwealth for the Emerging New World Economic Order?

Mr. Russ Hiebert, Chair of the Canadian Branch spoke to the topic of *How prepared is the Commonwealth for the Emerging New World Economic Order* as part of this panel discussion. The extent to which the world economic crisis has affected countries varies; but delegates agreed it was more significant in industrialized countries. It was noted that in the wake of this crisis, developing countries of Latin America and Asia were emboldened by a rapid growth in their work-force, technology and financial integration which has caused a major shift in the balance of economic power.

Participants observed that the recent expansion of the G8 into the G20 will help mitigate inherent weaknesses required for a sustainable recovery. It was suggested that Commonwealth countries should engage and dialogue with China, rather than being antagonistic and that stronger Commonwealth economies should support weaker ones.

Parliamentarians emphasized the need to face the challenges of stronger emerging economies creatively and ensure interparliamentary conference resolutions bear tangible results. Delegates agreed to use their common heritage to bolster collective

bargaining power, initiate persuasive interventions against unfair multilateral trade regimes, embrace peer review mechanisms, implore upon Bretton Woods institutions to give appropriate assistance, share experiences, build capacities and fully integrate with partner states.

Plenary: Commonwealth Initiatives in Handling Migration Issues

Arguments for and against free migration, both legal and illegal, were voiced by lead speakers as some focused on the protection of the rights of migrant workers while others expressed concerns about the effects of migrants on small communities and on each society's culture and values. There was agreement, however, on the need for further international co-operation and collaboration to ensure that migration is managed properly in a globalized world where the movement of people is posing problems for all states.

It was agreed that migrant workers are often exploited and their human rights abused because they do not know their rights and domestic legislation and institutions can fail to deal with foreigners. It was suggested that Parliamentarians should therefore scrutinize governments to ensure foreign workers enjoy the same rights as domestic workers and that they have access to education programmes so they know what those rights are.

Migration was also described as being beneficial by providing needed labour and exposing people to new cultures which enrich societies. Migration was also seen by some delegates as a threat to the resources, cultures and values of the receiving countries, and it was acknowledged that a brain drain to the developed world could hinder development in poorer countries.

International and bilateral strategies, with the Commonwealth in a key role, were seen by all speakers as the most effective short-term way to manage migration. This includes containing the illegal movement and trafficking of people, protecting migrants from exploitation, protecting small states, examining the reasons for domestic controls on migration and harmonizing all domestic laws.

Summaries were supplied by rapporteurs present at each workshop session. Copies of the complete Workshop Reports from the 56th CPA Conference from which excerpts have been taken in the preparation of this report are available on line at the following address: <http://www.cpa-hq.org>

In conclusion, the delegates would like to express their appreciation to the Parliamentary Research Branch of the Library of Parliament for the excellent background information they prepared for the use of the delegation during the Conference. Special thanks are offered to Mr. David Collins, High Commissioner of Canada to Kenya and the officers and staff of the Canadian High Commission for their extremely professional assistance.

Respectfully submitted,

Mr. Russ Hiebert, M.P., Chair
Canadian Branch
of the Commonwealth Parliamentary Association (CPA)

Travel Costs

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| ASSOCIATION | Canadian Branch of the Commonwealth Parliamentary Association (CPA) |
| ACTIVITY | 56 th Commonwealth Parliamentary Conference |
| DESTINATION | Nairobi, Kenya |
| DATES | September 10-19, 2010 |
| DELEGATION | |
| SENATE | Hon. Raynell Andreychuk, Senator Hon. David Smith, Senator |
| HOUSE OF COMMONS | Mr. Russ Hiebert, M.P. Hon. Maria Minna, P.C., M.P. Mr. Joe Preston, M.P. Ms. Carole Freeman, M.P. |
| STAFF | Stephanie Bond |
| TRANSPORTATION | \$ 31,590.60 |
| ACCOMMODATION | \$ 322.12 |
| HOSPITALITY | 0 |
| PER DIEMS | \$ 3,640.71 |
| OFFICIAL GIFTS | \$ 280.05 |
| MISCELLANEOUS/REGISTRATION FEES | \$ 476.74 |
| TOTAL | \$ 36,310.22 |