

Canadian Group
Inter-Parliamentary Union



Groupe canadien
Union interparlementaire

**Report of the Canadian Parliamentary Delegation
to the 121st IPU Assembly and Related Meetings**

Canadian Group of the Inter-Parliamentary Union (IPU)

Geneva, Switzerland
19 – 21 October 2009

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Organized by the Inter-Parliamentary Union

1. Background

The IPU is the international organization of Parliaments of sovereign states. It was established in 1889. The Union is the focal point for world-wide parliamentary dialogue and works for peace and cooperation among peoples and for the firm establishment of representative democracy. To this end, it:

- Fosters contacts, co-ordination, and the exchange of experience among parliaments and parliamentarians of all countries;
- Considers questions of international interest and concern and expresses its views on such issues in order to bring about action by parliaments and parliamentarians;
- Contributes to the defence and promotion of human rights -- an essential factor of parliamentary democracy and development; and
- Contributes to better knowledge of the working of representative institutions and to the strengthening and development of their means of action.

The IPU supports the efforts of the United Nations, whose objectives it shares, and works in close cooperation with it. It also cooperates with regional inter-parliamentary organizations, as well as with international intergovernmental and non-governmental organizations which are motivated by the same ideals.

At the close of the 121st Assembly, 151 national parliaments were members of the IPU and eight regional parliamentary assemblies were associate members. Most of these members are affiliated to one of six geopolitical groups that are currently active in the IPU.¹

2. Agenda for the 121st IPU Assembly

The IPU Assembly is the principal statutory body that expresses the views of the Inter-Parliamentary Union on political issues. Twice a year it brings together parliamentarians to study international problems and make recommendations for action.

The agenda for the 121st IPU Assembly, which took place in Geneva, Switzerland between 18 and 21 October 2009, addressed the following items:

- Panel discussions on the subject items chosen for debate during the 122th Assembly in March 2010:
 - Cooperation and shared responsibility in the global fight against organized crime, in particular drug trafficking, illegal arms sales, human trafficking and cross-border terrorism;

¹ Source for this section: <http://www.ipu.org/english/whatipu.htm>.

- The role of parliaments in developing South-South and Triangular Cooperation with a view to accelerating achievement of the Millennium Development Goals;
 - Youth participation in the democratic process.
- Report of the IPU Committee on United Nations Affairs
 - Emergency Item: Parliamentary action to ensure global food security

A detailed report on the 121st IPU Assembly and Related Meetings is available online.²

3. The Canadian Delegation

Delegations from the parliaments of 123 countries attended the 121st IPU Assembly. Of the 1,154 delegates who attended the Assembly, 519 were members of national parliaments, of which 164 were women (31.6%) and six were Canadian parliamentarians. These included:

The Honourable Donald H. Oliver, Q.C., Senator, Leader of the delegation

The Honourable Sharon Carstairs, P.C., Senator

The Honourable Frank Mahovlich, Senator

Ms. France Bonsant, M.P.

Mr. Blaine Calkins, M.P.

Mr. Brian Murphy, M.P.

4. Contributions made by the Canadian Delegation during the 121st IPU Assembly

Canadian delegates participated in the full program of meetings and related panel sessions held during the 121st IPU Assembly.³

During the panel discussion on “The role of parliaments in developing South-South and Triangular Cooperation with a view to accelerating achievement of the Millennium Development Goals,” **Senator Oliver** said:

That South-South and triangular cooperation constituted innovative strategies, which signalled a growing recognition among nations that effective international development should not only occur in hierarchical relationships between traditional donor countries and the developing world. Merging economic powers blurred the lines between developing and developed, and showed that valuable skills and practices had been instrumental in achieving the impressive levels of economic growth and political stability enjoyed by particular countries in the developing world in the recent past. As a traditional donor country with a longstanding commitment to international development, Canada was eager to identify policies and programmes that would help its development assistance serve developing countries more effectively. That was a particularly pressing

² See: <http://www.ipu.org/conf-e/121/121.pdf>.

³ Resolutions adopted by the Standing Committees that met on the occasion of the 121st Assembly may be found at: <http://www.ipu.org/strct-e/stcnfres.htm#121>.

issue, since the deadline for meeting the MDGs was fast approaching. Developed countries had an obligation to support developing nations in the achievement of the MDGs. Strengthening support for developing countries did not only mean increasing aid volumes, but also ensuring that aid was provided more effectively.

While Canada was already involved in North-North dialogue, South-South and triangular cooperation remained a relatively small proportion of Canadian programming. Some Canadian programmes, however, had been modelled on those development strategies, for example: In Haiti, Canada had funded an immunization campaign in partnership with Brazil, as well as an agricultural development project funded in partnership with Spain and run by Argentina and Brazil. Canada had also financed a project by which South Africans with expertise in public services delivery and management had provided assistance to civil servants in Burundi, Rwanda and southern Sudan to build new public services in order to assist in post-conflict recovery efforts. Those efforts showed the positive results of cooperation in which Canada provided financial assistance in conjunction with the expertise of southern partners that had a much more sophisticated understanding of the unique needs of fellow developing nations. Parliaments could use their positions and mandates to ensure that development policy objectives were formulated in a manner that best served the needs of the developing world.

Canada's housing market and mortgage system was sound, and did not have a large sub-prime component. It had not witnessed the proliferation of products and marketing practices that had led to the serious problems that had occurred in the United States. Canadian households had smaller mortgages than United States households, relative to the value of their homes and their disposable incomes. According to the IMF, the rise in Canadian house prices over recent years had been fully supported by sound economic factors such as low interest rates, rising incomes, and growing populations. The Government had recently taken further steps to maintain the availability of longer-term credit in Canada, by purchasing up to US\$ 25 billion in insured mortgage pools through the Central Mortgage and Housing Corporation. That action would help Canadian financial institutions to raise longer-term funds, and make them available to consumers, home-buyers and businesses. The relief for consumers and home-buyers came at no fiscal cost to tax-payers, and would earn a rate of return for the Government that was over the Government's own cost of borrowing. As insured mortgage pools already carried government backing, there was no additional risk to the tax payer. Such action built on recent steps taken by the Bank of Canada to provide increased volumes of term liquidity across a broader range of collateral. When approving the budget, Parliament had increased the amount of collateral that banks would accept. The Finance Committee in the House of Commons and the Senate were vigilant and constantly probed key witnesses on unemployment rates, inflation and the fiscal situation.

During the meeting of the Committee on UN Affairs, **Mr. Calkins** made interventions on the following topics:

- Cooperation between the United Nations and parliamentary assemblies and organizations

He indicated that parliamentarians included in national delegations should represent all political parties. He fully supported the idea of the IPU being recognized as the representative body of parliamentarians at the United Nations level, and considered that it would be beneficial for countries to follow the example of Germany and establish a sub-committee to monitor the work of the United Nations. He also hoped that the United States of America would rejoin the IPU.

- United Nations Climate Change Conference: progress and remaining challenges

He noted that Canada which produced some two per cent of the greenhouse gases in the atmosphere, aimed to achieve a 20 per cent reduction in greenhouse gases by 2020, and a 50 per cent reduction by 2050. Referring to introductory statements made by a panellist, he said that he had difficulty with the inference that a reduction in CO₂ would cause a recession. Countries had to ask themselves the difficult question of what they would be prepared to give up to protect future generations. Consideration should also be given to the social issues that might arise as a result of mass spending on climate change, as well as the implications of such spending on foreign aid. He agreed that appropriate investments in technology and a good governance structure would be critical in the fight against climate change, and asked whether the programme to be discussed at Copenhagen would focus on a cap and trade system, or on some other type of offset mechanism.

5. Participation by Canadians in Related Meetings and Activities

Concurrent with Standing Committee activities associated with the 121st IPU Assembly were the meetings of several related committees and working groups. This section identifies those meetings that were attended by Canadian delegates. In instances where key activities are not reported in the IPU's official report on the 121st IPU Assembly, further details are provided below.

a) The 185th Session of the IPU Governing Council

The Governing Council is the plenary policy-making body of the Inter-Parliamentary Union. Several committees and working groups are subordinated to it and report to the Council on their work. Meetings of the 185th Session of the IPU Governing Council were held on 19 and 21 October. A detailed report on the work and decisions of the Governing Council is available online.⁴ All Canadian delegates attended at least one session of the Governing Council.

⁴ See: <http://www.ipu.org/conf-e/121/121.pdf>.

b) The Committee on the Human Rights of Parliamentarians

In 1976, the IPU adopted a “Procedure for the examination and treatment of communications concerning violations of the human rights of parliamentarians,” applicable to parliamentarians who are, or have been, subjected to arbitrary actions (e.g. State harassment, arbitrary arrest and detention, unfair trial, violation of parliamentary immunity) during the exercise of their mandate, whether the Parliament is sitting, in recess or has been dissolved by unconstitutional or extraordinary measures.

The IPU’s Committee on the Human Rights of Parliamentarians, is comprised of five parliamentarians representing different regions of the world and is responsible for the treatment of such complaints. The Committee holds hearings and undertakes onsite missions. If it does not prove possible to reach a satisfactory settlement of the case during a first phase of confidential examination and communication with the authorities of the countries concerned, public reports and recommendations for specific measures are submitted by the Committee to the Governing Council and thus are made public.

Senator Carstairs was first elected to this committee in April 2004 and since 2008 has served as its President. Her current term expires in April 2011. The Committee meets four times a year, including on the occasion of the IPU’s statutory Assemblies.

The Committee met from 17 to 20 October.⁵ It conducted six meetings with delegations from countries where it had cases pending and, in total, examined 56 cases in 29 countries concerning 250 individuals. The Committee submitted to the Governing Council the cases of 214 parliamentarians in 20 countries around the world affecting individuals from the following jurisdictions: Afghanistan, Bangladesh, Belarus, Burundi, Cambodia, Colombia, Democratic Republic of the Congo, Ecuador, Eritrea, Iraq, Lebanon, Madagascar, Mongolia, Myanmar, Palestine, Philippines, Rwanda, Sri Lanka, Turkey and Zimbabwe.

c) Geopolitical Group Meetings

Article 25 of the Statutes and Rules of the Inter-Parliamentary Union permits members of the IPU to form geopolitical groups. These groups play an important role in the functioning and activities of the Inter-Parliamentary Union (IPU).

There are six geopolitical groups formally recognized by the IPU: the African Group (42 members), the Arab Group (19 members), the Asia-Pacific Group (27 members), the Eurasia Group (7 members), the Latin American Group (19 members) and the Twelve Plus Group (45 members). Each group decides on working methods that best suit its participation in the activities of the Union and informs the Secretariat of its composition, the names of its officers, and its rules of procedure.

Canada belongs to the Asia Pacific Group and the Twelve Plus Group. Since Canada belongs to more than one geopolitical group, it submits candidatures for vacant positions within the Union through the Twelve Plus Group.⁶

⁵ The resolutions of public cases adopted by this committee may be found at: <http://www.ipu.org/iss-e/hr-cases.htm>.

⁶ Minutes of the meetings of the Asia Pacific Group and the Twelve Plus Group are available from the Canadian IPU Secretariat upon request.

Meetings of the Asia-Pacific Group (APG) were held on 12 and 14 October. Agenda items considered included:

- Briefing by the Group's representatives on the work of the Executive Committee
- Report of the Asia-Pacific Working Group
- Emergency Item
- Vacancies to be filled
- Nominations to drafting committees
- Comments on the IPU draft budget
- Consolidation of IPU reform
- Future meetings of the APG and its Working Group
- Next Chair of the Group

Meetings of the Twelve Plus Group were held on 18, 20 and 21 October. Agenda items considered included:

- Report on work of the Group's Steering Committee
- Report from Group representatives on the work of the Executive Committee and its subsidiary bodies
- Report from the Advisory Group on UN Affairs
- Appointment of the Secretary General
- Emergency item
- Reports and draft resolutions of Standing Committees
- Appointments to drafting committees
- Positions to be filled
- Consolidation of IPU reform
- Matters relating to the Twelve Plus Group
- Schedule of Group meetings for the 122nd Assembly (Bangkok, March 2010)

d) Evaluating parliament: objectives, methods, results and impact

A one-day conference jointly organized by the Inter-Parliamentary Union and the Association of Secretaries General of Parliaments was held the day after the closure of the IPU Assembly on 22 October. The purpose of this conference was to provide a forum for the discussion of different approaches to the evaluation of parliament, sharing of lessons learned and understanding the potential results and impact of evaluation.

As a panellist during a session drawing from real-life examples of why and how parliaments have carried out evaluations, **Senator Oliver** made the following presentation:

He noted that serious and honest reflection of the functioning of parliaments constituted an important first step towards determining how improvements could

be made. Evaluations led legislative assemblies and the institutions that supported them to evaluate the extent to which they represented true parliamentary democracy, with emphasis on the key issues of transparency, representativeness and responsibility. Those evaluations were constructive exercises, which enabled democratic institutions to have legitimacy and to be strengthened at a time when public trust in parliaments was by no means guaranteed. The Parliament of Canada had used the benchmarks set by the CPA to revise the structure and rules of the Senate.

Recognizing that legislatures, development organizations and parliamentary associations were increasingly interested in tracking and measuring the quality of parliaments as democratic institutions, the CPA had led an initiative to codify and synthesize recommendations for democratic legislatures in 2006. A study group hosted by the Parliament of Bermuda and composed of legislators from Commonwealth countries, parliamentary officials, academics and legislative development specialists from the UNDP, the World Bank Institute and the NDI, had taken on the task and published a comprehensive list of benchmarks covering all aspects of parliament and its functions, from elections to dissolutions, from parliamentary parties to parliamentary staff, and from the functioning of the legislatures to the values underpinning the performance of those functions.

As a member of the CPA, the Canadian Parliament had been asked to undertake a self-evaluation in December 2008 using the CPA benchmarks, with the suggestion that such an exercise might help to strengthen parliamentary performance as a democratic institution by enabling an assessment to be made of whether Parliament was performing adequately in terms of advances in parliamentary practices and procedures. The CPA had wished to know whether the benchmarks were suitable universal standards relevant to all forms of parliamentary democracy practiced across the Commonwealth, and had therefore requested that the Canadian Parliament report on its experience in applying the benchmarks. Given its commitment to promoting the values of parliamentary democracy, the Canadian branch of the CPA had been happy to lead by example in assessing Canada's parliamentary practices and procedures in light of the CPA recommendations.

In almost all cases, Canada's Parliament had complied fully with the recommendations outlined in the benchmarks. Representatives from the strategic and corporate planning offices of the Canadian Senate and House of Commons as well as subject area experts and procedural officers had rated the parliament's compliance with the benchmarks. They had applied a five point ranking scheme, with a score of five indicating that the benchmark had been fully met, and a score of one indicating that the benchmark had not been met and that there were no plans to meet it in future. In some cases an explanation of the ranking had also been included, which had been particularly useful in the event that the Senate and the House of Commons had ranked differently in respect of a specific benchmark. Despite the nuanced grading scheme, there had been some difficulty in quantifying the degree to which particular benchmarks had been met. It had

been difficult to ensure that the evaluation reflected the differences between rules of procedure and the procedures that were implemented. The Parliament had ranked non-compliant with the benchmark on the legislature's right to override an executive veto, since technically the Crown had supreme veto power in Canada. That score did not, however, reflect reality, since in practice the Crown's veto power was never exercised.

That division between technical rule and practice also worked in reverse. Certain benchmarks recommended rules of procedure that did not exist in Canada, but were followed nonetheless as a matter of custom. One weakness of the evaluation had been the inability to properly reflect that difference between rule and practice in quantifiable scores using the five-point scale. That distinction was particularly important in Canada's case, since unwritten conventions not included in the Constitution had a significant influence on Parliament's organization and functioning. There had also been instances in which the measures prescribed by a particular benchmark had fallen outside the mandate of the Parliament, and were the responsibility of other organizations and Federal agencies. One such example was that the Canadian Parliament did not have special measures to encourage political participation of marginalized groups with the view to accomplishing precisely defined and time-limited objectives. That task was undertaken by individual political parties and Federal agencies dealing with elections and political participation. A low ranking for that benchmark did not mean that the goals of the benchmark were not accomplished in Canada, or that the values underpinning it were not prioritized by Parliament.

Those problematic aspects of self-evaluation had reinforced the important place that such exercises held in healthy democratic institutions, and had enabled the Canadian parliament to reflect on its work from a valuable vantage point. While the results of the evaluation had not been used to inform changes to parliamentary practice, the opportunity to compare Canadian practices with international standards would provide a useful starting point for any future reforms. The present discussion provided a much-needed opportunity to build an international consensus on standards for healthy democratic legislatures and to share practical advice on the application of those standards in home parliaments.

6. Future IPU Assemblies

On 20 October, the IPU Executive Committee considered and accepted Canada's offer to host the 126th IPU Assembly in Canada in 2012. On 21 October, the IPU Governing Council ratified the Executive Committee's recommendation that Canada host the 126th IPU Assembly in Québec City in October 2012.

7. Follow-up

Following each statutory IPU Assembly the Canadian IPU Group prepares this report, which is tabled in the House of Commons and the Senate. It also forwards relevant IPU reports and resolutions to parliamentary committees and government departments and sends letters to Ottawa-based diplomatic missions concerning the IPU's report and recommendations on the human rights violations of former or serving parliamentarians.

Respectfully submitted,

The Honourable Donald H. Oliver, Q.C., Senator
President, Canadian Group IPU

Travel Costs

ASSOCIATION	Canadian Group of the Inter-Parliamentary Union (IPU)
ACTIVITY	121 st IPU Assembly and Related Meetings
DESTINATION	Geneva, Switzerland
DATES	19 – 21 October 2009
DELEGATION	
SENATE	Hon. Donald H. Oliver, Q.C., Leader of the Delegation Hon. Sharon Carstairs, P.C. Hon. Frank Mahovich
HOUSE OF COMMONS	Ms. France Bonsant, M.P. Mr. Blaine Calkins, M.P. Mr. Brian Murphy, M.P.
STAFF	Mr. Serge Pelletier, Secretary to the Delegation Mr. Joseph Jackson, Advisor
TRANSPORTATION	\$28,307.46
ACCOMMODATION	\$15,512.79
HOSPITALITY	\$ 1,033.92
PER DIEMS	\$ 7,749.80
OFFICIAL GIFTS	281.50
MISCELLANEOUS	\$ 133.26
TOTAL	\$53,018.73