

59th Commonwealth Parliamentary Conference 2013

Sandton Convention Centre, Johannesburg, South Africa

30th August – 5 September 2013

The Commonwealth Parliamentary Conference actually comprised 5 separate events as follows;

1. 33rd Small Branches Conference
2. 17th Commonwealth Women Parliamentarians Conference
3. Regional Meetings
4. Workshop Sessions
5. 59th General Assembly

Before going into more detail about the Conference, it is worth mentioning that the name of Nelson Mandela loomed large throughout. At the beginning of the week Mandela was still in hospital but, on the Sunday, was moved back to his home in Johannesburg. It was evident from listening to speakers from South Africa, and Africa in general for that matter, that he meant so much to them but underlying it the feeling of concern was about what would happen after his death.

The image of Mandela was everywhere. Indeed, the Conference took place near the huge Mandela Square in Sandton, with a massive statue of the venerated man in pride of place at the entrance.

33rd Small Branches Conference

Guernsey is entitled to attend by virtue of its size, as are the other Crown Dependencies, Overseas Territories and many regional legislatures, such as Queensland, Australia. Members of the UK Parliament were permitted to attend the conference as observers. This was an interesting 2 days that covered areas of direct interest to Guernsey. It was evident that many of the issues the Bailiwick is facing are not unique to us and are being encountered by many of our competitors.

The first plenary session dealt with separation of powers and good governance in small states. Much was spoken of the role of Auditor General, who would work through the PAC. However, it was clear that the situation in Guernsey was very different from other branches. For a start, the States Accounts are audited by external auditors, and much of the role of the Auditor General in other jurisdictions was financial audit. It is also the case in virtually all branches that the head of the PAC is often the opposition party spokesman for finance. This can create a problem when there is a change of Government as they can then be reviewing what was done when they were in power.

Deputy Soulsby commented that, whilst the position of Auditor General may be one that Guernsey should consider, it would have to weigh this up against a significant extra cost. In Bermuda it costs close to B\$1.5m per annum. Guernsey appoints external auditors which undertake a fair proportion of the work of an Auditor General.

The second plenary session dealt with the question, 'Is Education Meeting Local Employment Needs?'. Whilst it was a useful session, it didn't bring out any real talking points. The following

statement is indicative *'In small states the education system should attempt to maximise the development of appropriate skills to support local business and create meaningful pathways to employment'*. It was still useful to hear from other branches and to realise that everyone understands the importance of a skilled workforce and what they were doing about it, although it did seem to me there was more realisation of the problem than knowing precisely what to do about it. Here I think Guernsey may be more advanced than its competitors.

The 3rd plenary session held on the morning of Saturday 31 August had as its theme, 'self-determination, self-sufficiency and self-governance'. Probably the most interesting discovery from this session was that the Governors in the Cayman Islands and Bermuda, as crown representatives have a different role than the Lieutenant Governor of Guernsey and as Overseas Territories he or she follows guidelines from the Foreign and Commonwealth Office, whereas Guernsey's connection with the UK, as a Crown Dependency, is through the Ministry of Justice. It seemed from the session that this was advantageous to Guernsey in terms of self-determination and self-governance.

The afternoon session focussed on 'Ensuring Technical and Legislative Capacity for Ethical Tax Raising in Small States'. This was a useful session bearing in mind the personal tax, benefits and pension review currently in progress. It was useful to learn that Bermuda provides payroll tax concessions for domestic retail companies and import duty concessions to hotel investors, developing and upgrading hotels. There is no VAT or income tax but instead it has a consumption tax where everything that is imported is subject to tariff or duty tax. There is a 100% consumption tax on cars in order to control car usage. The Island also restricts car ownership to one vehicle per family.

The importance of considering the cost of tax collection was discussed. Principally small states should think very carefully when considering bringing in certain types of tax employed by large jurisdictions as the relative costs of some systems will be far higher in smaller countries.

The most useful points that were made during this plenary session were from Mr Axel Schimmelpfenning from the IMF who gave his advice based on his knowledge and experience.

He stated that;

1. Simplicity and broad coverage can lead to more effective ways of raising tax.
2. Try not to do too much with your tax system eg broad subsidies that might look a good idea but don't benefit the intended target eg fuel subsidies that benefit the upper and middle class but not the poor.
3. The best tax systems result in everybody contributing as much as needed, but not much more and this can be done through broadening the tax base whilst reducing tax exemptions, closing loopholes and improving compliance.

He believed Parliament has an important role to play in ensuring tax regimes were ethically fair, as well as improving oversight functions through an independent Budget office, that would improve the technical and analytical capacity of legislatures to interpret fiscal policy and matters related to tax. Finally he advised that the IMF and World Bank were a resource that Parliaments have access to and should use.

General debate afterwards elicited some interesting comments. The conference was held the day that France made public that they had blacklisted Jersey. Representatives from Cayman Islands and Isle of Man advised the UK observers that it was all very well the UK attacking the tax systems of the crown dependencies and offshore territories, but it could change its own tax legislation.

In summary, it was a useful 2 days. There were points that arose that would be worth considering for Guernsey and, as many of our competitors in the Financial Services sector were attendees of the Small Branches conference, it was useful to find out what they were doing and issues they were experiencing.

3rd Commonwealth Women Parliamentarians Conference

The CWP conference is held every 3 years. The main theme for 2013 was Engendering Democracy. The first Session dealt with Women's Political Participation: Leadership, Electoral Systems and Campaign Funding.

It was evident early on that women in the developing regions had major issues to deal with in terms of acceptance of women in politics. There was an understanding that the problem started with family upbringing and gender roles that needed to change to ensure women were accepted as equal partners. Deputy Sandra James spoke about the need to stop the sexualisation of girls and that attitudes needed to change, which received considerable support.

Countries like Canada had made positive efforts to get more women into politics and these had resulted in increased female participation. It was clear that many countries had a Minister for Women which it was believed showed those that really believed in ensuring equality for women. To date, approximately 40 countries have introduced gender quota in elections to national parliaments. There is a Commonwealth goal to increase women's parliamentary representation by at least 30%. Guernsey is embarrassingly low at less than 11%. According to the UN, a threshold of at least 30% of female legislators is required to ensure that public policy reflects the needs of women.

The theme of the second session was 'Women Parliamentarians and Social Media'. Unsurprisingly this was seen as a good thing, especially by those women who represent very large geographic areas, with low population densities where they can instantly connect with many people that before made it very difficult, time consuming and expensive. However, it was also pointed out that those women parliamentarians representing the poorest regions of the world were lucky to have constituents who could put food on their plate, let alone afford the technology to enable them to use social media.

The third session on 'the informal economy and entrepreneurship' was really targeted at those representatives from the developing countries and the importance of getting women working both in terms of empowerment and improving the lives of their families. It was clear how important micro finance schemes were for women and that if women are given the opportunity to develop a small business they do very well. For those of us who contribute to online micro finance schemes, this was heartening. However, the barriers against women were also very evident. In Sierra Leone a woman can't get a loan for \$5,000, these are only given to men. Those speaking from African countries were adamant that legislation was needed to promote access to capital assets and markets. In Tanzania there is a Women's Bank which helps women get loans at a low interest rate.

The last session on the first day really brought home the huge divide between those of us in the relatively prosperous western world and those in the developing world. The subject was 'Women, Poverty and Homelessness'. The statistics that came out of this session were stark. There are more women in relative poverty than men. Women make up 70% of the 1 billion of people who live on less than \$1 a day. Women undertake 2/3 of working hours, produce half the world's food yet they earn only 10% of the global income and own less than 1% of all property. Poverty is one of the persistent factors blocking gender equality. Speaking to a Kenyan MP it was clear how helpless she felt dealing with the poverty in her constituency. With the spread of AIDS, and with the younger generations moving from the country to the city, it is the grandmothers who are really suffering, many without a proper roof over their heads and having to look after their orphaned grandchildren. It really put into perspective the problems we have in Guernsey.

Following on from the Workshops, the main business for this part of the conference was the election of a new Chairperson of the CWP. The candidates were the Ugandan Speaker, Rebecca Kadaga and Western Australia MP, Lisa Baker. The previous evening, the women parliamentarians of the British Isles and Mediterranean Region (BIMR), which included Deputies Sandra James and Heidi Soulsby, invited the candidates to a mini hustings. At this session, the candidates were asked probing questions about their views on increasing women's participation in politics and what they would do were they successful. This was a very useful session and showed the strength of the 2 candidates.

There were concerns from the BIMR about the Ugandan candidate and the position she had taken on gay rights in her country. At the time she was leading the passage of the law to criminalise homosexuality. Indeed, this was passed in the legislature recently, though the President of Uganda is now refusing to pass it on the basis that Ms Kadaga had forced it through without a quorum. The issue of gay rights came up again during the General Assembly.

In the end, the Ugandan candidate was elected by 68 votes to 29. Such a difference in votes reflecting the overwhelming number of African voters who voted for a fellow African.

Finally, debate took place on the number of women represented in Commonwealth Parliaments and it was resolved that *'the CWP supports in the strongest terms the 30% target for women's representation in the political, public and private sectors set by the Commonwealth Heads of Government in 1997 and regrets that it has not yet been achieved across the Commonwealth, and calls upon political parties and governments within the Commonwealth to take positive action to enable all women to play their full part in the political process in safety.'*

It was a strange conference, at times depressing and at others uplifting, but overall it gave the impression of a Commonwealth of 2 distinct parts: the developing countries, primarily of Africa and Asia, and the developed nations. Whilst both shared the problem of women's representation in parliament, there were different reasons for the current gender imbalance.

British Isles and Mediterranean Region Meeting

The British Isles and Mediterranean Region comprised delegates, not only from Westminster, but also the Welsh Assembly and Scottish Parliament. In addition, its members include the Crown Dependencies, Malta, Cyprus, Gibraltar and the Falkland Islands. As such, it is very useful to be a part of this group. In particular, getting a great insight into how the devolved assemblies worked was helpful from a constitutional point of view. Added to this, being able to meet directly with Islands very similar to ours helps us to understand shared problems and how others have dealt with them.

Deputies James and Soulsby found that it was particularly useful meeting the women from the devolved assemblies who were working on increasing women's representation in their parliaments as well as improving women's opportunities in general. Two names that stood out, were Patricia Ferguson MSP and Joyce Watson AM.

This meeting included an update on what had been done over the previous year through the CWP, Small Branches Conference and Commonwealth Youth Parliament. Discussions included the introduction of an internal audit function at Head Office in Westminster, the desire amongst some other regions for diplomatic status for CPA, which was not supported by BIMR, and possible inclusion of regional representatives from Kenya.

Workshop Sessions

There were 8 workshops, with 4 in the morning and 4 in the afternoon. It was therefore necessary to select those workshops considered the most relevant. An outline of what was considered at those workshops attended by Deputies James and Soulsby is given below. There are more detailed notes of the workshop on Policy Solutions for Caring for an Aging Population, which can be obtained from Deputy Soulsby.

Should there be Parliamentary Intervention in the Informal Economy and Entrepreneurship Sectors?

This workshop followed on from the 3rd session of the CWPC. Whilst principally focussed on the importance of women in these sectors and how women play a major role in the developing countries, there were aspects that were relevant to western economies. Andrew Percy, UK MP said he was against Parliamentary intervention generally but believed the enterprise allowance in the UK enabled access to capital to start up businesses had resulted in some major successes eg Superdry.

It was agreed that, with countries in different states of development, there was no 'one size fits all' solution. A key issue was the importance of education and training and that was where government should intervene.

The Challenges of Attaining the Millennium Development Goals

The UN Millennium Development Goals (MDG) were established in 2000. All 189 then members of the UN committed to achieve the goals by 2015. They are;

1. To eradicate extreme poverty and hunger
2. To achieve universal primary education
3. To promote gender equality and empowering women
4. To reduce child mortality rates
5. To improve maternal health
6. To combat HIV/AIDS, malaria, and other diseases
7. To ensure environmental sustainability
8. To develop a global partnership for development

Speakers at the workshop from India, Samoa and Malta explained what they had done to meet these goals. Whereas it was clear some countries had further to go than others, great strides have been made by some Commonwealth countries. A central theme was the link between good governance and good development in reaching the goals and the role of Parliamentarians in ensuring both.

It was agreed that parliamentarians everywhere need to be conscious of their responsibilities and should press governments to augment, not deduct, resources dedicated to the MDG effort. In addition, the challenges in meeting the MDGs by 2015 showed why parliamentarians must play a central role in ensuring a robust post-2015 development environment.

Separation of Powers and Good Governance (Submitted by Small Branches)

Whilst interesting, this workshop did not really delve into as much detail as that in the Small Branches Conference. Probably the most useful point made was how it was important to regularly review governance structures and often cooperation is as important as separation of powers amongst the 3 branches of government.

Policy Solutions for Caring for an Ageing Population

This workshop was incredibly valuable and more detailed notes are available on what was discussed.

In summary, Shadow Attorney General of South Australia, Stephen Wade spoke about the introduction of an Advance Care Directive Act that enables competent adults to write down their preferences for what they want and don't want in the future when they can't make decisions, as well as appoint a substitute decision maker. He proposed the following resolution;

'Parliament should empower citizens to decide their care and treatment as they age and at life's natural end and protect professionals who respect these decisions'.

Irene Mathyssen MP, who is the Official Opposition Critic for Seniors in Canada, proposed the following be resolved;

'Commonwealth countries are facing a population that will live longer, so governments and parliaments must investigate all options in establishing care systems for an ageing population.'

She was concerned about the effects of extending pension age in Canada, as well as health provision for older people.

The most informative presentation was from Dr Lam Pin Min of Singapore. He proposed the following be resolved;

'Parliamentarians should foster a society where seniors can age 'in place' in their homes and community'.

This was a very informative presentation that covered Singapore's experiences in managing its ageing population and the following two major initiatives in particular;

1. to keep seniors in the community healthy, active and safe; and
2. to provide quality care that is accessible and affordable.

Singapore is suffering both from an ageing population, where 20% of the population are expected to be over 65 by 2040, and a very low fertility rate of 1.23%. The Ministerial Committee on Ageing (MCA) supports ageing in place and has 3 strands to dealing with an aged population;

1. active ageing and employability - seeks to champion physical activity, fitness, mental wellness and social engagements for seniors;
2. aged Care Infrastructure programme - focusses on the physical planning and development of aged care facilities and champions the development of a senior-friendly environment; and
3. quality aged care and manpower – developing home based help.

The MCA works with the aged care sector, government agencies, families and grass roots organisations to deliver its initiatives.

It was clear from the presentations and various speeches from the floor that the preference was for caring in the home but at the same time it was understood there were cost implications of an ageing population.

Both Deputies James and Soulsby spoke at the workshop. Deputy James made the point that an ageing population shouldn't be considered a problem. The old aren't a problem, just the issues. Deputy Soulsby stated that jurisdictions needed to focus on the increased dependency ratio if living standards are not going to suffer and services cut. She also advised that the State of Guernsey Government Service Plan identifies the need to address the long term consequences of an ageing population.

This was an incredibly useful workshop that made it abundantly clear that Guernsey was not alone in needing to address the consequences of an ageing population. It was also evident that, whilst there is a general understanding amongst the Government and population of the Bailiwick that action needs to be taken, we are behind many jurisdictions in having a co-ordinated plan of action. We should be studying what others are doing, such as Singapore, which has many similarities to Guernsey, and considering whether we should be adopting some, or all, of the measures that they are currently putting into practice, before it is too late.

59th General Assembly

This was the culmination of the Conference and took place in the massive main hall of the Sandton Convention Centre. It began with an address from the President of South Africa, Jacob Zuma. He began with a tribute to Nelson Mandela and then about how much being in the Commonwealth meant to South Africa.

Speeches from various dignitaries followed and a number of reports received. Following these, the activities of the Small Branches and CWP Conferences were summarised and the resolutions passed during the conference were ratified.

The Falkland Islands submitted a resolution requesting that; *'This Association recognises the Internationally-observed Referendum held in the Falkland Islands over the period 10-11 March 2013 which sought the view of the electorate on their political status as a free and fair expression of Falkland Islanders' wishes and their right to self-determination.'*

This was approved, as was a resolution from Gibraltar, which stated;

'This Assembly notes with concern the reports continuing harassment of Gibraltar by Spain, including the creation of lengthy delays at the land frontier between the two countries, the threat of imposing air restrictions and numerous maritime incursions into Gibraltar's water by the naval and para-military agencies of the Spanish state and considers that this political pressure on Gibraltar is totally unacceptable and that it must cease immediately'.

A short promotional film was presented by the Gibraltar delegates which really showed off the attributes of the British Overseas Territory, economically, politically and culturally. This is possibly something Guernsey should think about.

Following the resolutions, discussion moved to the Commonwealth Charter agreed by the Commonwealth Heads of Government and signed by the Queen, as Head of the Commonwealth in 2012. It is meant to bring together the values and aspirations which unite the Commonwealth - democracy, human rights and the rule of law - in a single, accessible document.

The Charter expresses the commitment of member states to the development of free and democratic societies and the promotion of peace and prosperity to improve the lives of all peoples of the Commonwealth. It also acknowledges the role of civil society in supporting the goals and values of the Commonwealth.

See <http://thecommonwealth.org/our-charter> for more information about the Charter.

A key message from the debate was how this would just remain just a Utopian dream unless understood by ordinary people.

The issue of gender and sexual equality was raised by a speaker from the UK, Kerry MacCarthy MP. She spoke specifically about what was not in the Charter and that was discrimination against sexual orientation. She stated that 41 Commonwealth countries criminalise homosexuality and that, as Parliamentarians, we should be promoting tolerance, respect and understanding and have a role to play in stamping out sexual violence.

When the session opened up, a speaker from Cameroon stated that she saw no link between homosexuality and democracy, which was supported by many of the African countries, but roundly criticized by the 'western' nations. Cameroon which has criminalised homosexuality, will host the 60th CPA Conference. Another comment made by an African speaker was that it had been the British who had criminalised homosexuality in the first place under the Empire, but now it was the same country that was telling them it should not be illegal. She considered this to be an example of how the British still wanted to run their countries.

Perhaps the most uplifting statement was made by a speaker from South Africa, who said that through the history of her country South Africans had learnt how wrong it was to exclude on the grounds of race, gender and sexual orientation.

Conclusion

It was evident from the conference that the Commonwealth comprises a diverse membership and whilst the developed and less developed countries were affected by the global economic downturn, they also had other issues that they needed to prioritise differently. For the more developed jurisdictions, the focus is on diversifying our economies, developing new business, as well as new ways of doing business, and the implications of an ageing population. For the developing jurisdictions it appeared to be more about extreme poverty, universal education, good governance and land ownership.

However, what came through loud and clear was the importance of the regional branches. For Guernsey in particular, membership of the British Isles and Mediterranean Region is invaluable. A major issue for the Region is the poor representation of women and the women members want to work together to try to improve the current position and meet the target of at least 30% representation as soon as possible. In addition there is a move to have a representative of the Small Branches on the Executive Committee. This is something that Guernsey should support as it will give us more representation within the CPA.

Our South African hosts were very friendly and helpful, although the organisation left a lot to be desired sometimes. In terms of our experience of the CPA itself, we felt that, although we were only from a small Island thousands of miles away, we were treated with the same respect and on the same level as those delegates from sovereign states. This is the only opportunity Guernsey has to be on the world stage and to influence thought at that level, as such, there is clearly a value to remaining within the CPA.