

# CONFERENCE ON POLITICAL CULTURE, REPRESENTATION & ELECTORAL SYSTEMS IN THE PACIFIC

PORT VILA, VANUATU, 10-12 JULY 2004

## ACTIVITIES OF THE INTER-PARLIAMENTARY UNION

IAN HARRIS\*

### I AUSTRALIA AND THE INTER-PARLIAMENTARY UNION (IPU)

Given the traditions behind the establishment of Australia's parliamentary democracy, and its development over a hundred years, it seems natural that Australia would be an active participant in the operations of the IPU. Australia's experience has shown that, from the times before the nation was established, our founders were gaining inspiration from throughout the parliamentary and governmental world. The nation has continued to benefit from its experience with international organisations such as the IPU, and has made its own small contribution to the development of the parliamentary world.

In this paper, I propose to outline very briefly the sources of inspiration for the Australian system, the work of the Inter-Parliamentary Union and some of the bodies formed under the auspices of the IPU, and the benefits that a nation like Australia has found from participation in the IPU.

### II WESTMINSTER, WASH MINSTER OR AUS MINSTER?

#### **Westminster (based on the UK House of Commons alone)?**

Australians clearly and proudly based their governmental institutions in the Westminster parliamentary tradition of responsible executive government. The Australian Constitution provides that the powers, privileges and immunities of the Houses, their Members and committees are to be, until declared, those of the United Kingdom House of Commons, its members and committees as at 1 January 1901. The standing orders of the House, and its many customs, conventions and practices still reflect those of the UK Houses of Parliament.<sup>1</sup>

Australia takes great pride in the fact that our federation was forged not by war or rebellion, but by discussion groups, called "conventions", and by consultation with the people at the plebiscite and ballot boxes. Even though the participants of the constitutional conventions in the 1890s took considerable inspiration from the Westminster tradition, there was a quite conscious global search to identify the most appropriate elements of other systems of government for the new nation.

---

\* Clerk of the House of Representatives, Commonwealth of Australia, and President of the Association of Secretaries-General of Parliaments. **The views expressed in this paper are not necessarily those of the Inter-Parliamentary Union, the Association of Secretaries-General of Parliaments, or the Parliament of the Commonwealth of Australia.**

<sup>1</sup> Australian Constitution s 49; ss 3 and 4 of 63 & 64 Victoria Chapter 12.

### **Wash Minster (based on a mixture of Washington & Westminster)?**

The American Civil War was fresh in the minds of the framers of the Constitution. Canadians had federated in 1867, with a Senate and a House of Commons. Our formula included a Senate designed to preserve more strongly the rights of the States. However, the House of the people was called the House of Representatives rather than the House of Commons.

At the Adelaide Convention in 1897, there were many references to the impact of international influence on the minds of those drafting the Constitution. Edmund Barton (to become the first Prime Minister), recognising the concept of responsible government, indicated that he did not want his boots made in Germany, and that he did not want his Constitution made in Switzerland<sup>2</sup>. He thought that British forms of government, as adopted and adapted, were the best fitting. His boots clearly had always been made in Britain.<sup>3</sup> Yet, Sir Richard Baker, who was to become the first President of the Senate, responded: **‘I want my boots made where I find they fit me best’**. He believed that it was possible to learn lessons from other countries, and pointed to federations in Germany, Switzerland, America and to a limited extent in Canada.<sup>4</sup>

Lao Tzu said that a long journey starts with a single step, and the boots chosen by Australia have done a lot of walking. Australia has been open to adopting successful procedures operating in other institutions that have come to light along the path of that walk.

### **Aus Minster (based on Westminster and Washington, but developing on Australian lines)**

Although the Australian national Parliament is clearly and proudly based on the Westminster system, and has borrowed from the USA, local adaptations have occurred, not only to make the system more appropriate to the Australian temperament, but also to reflect the maturing national self-identity and the nature of contemporary society. This extends from parliamentary symbols to significant procedural processes.

The House of Representatives Chamber is furnished in green. However, it is now not the green of the fields of England, which characterises the United Kingdom House of Commons and the old Parliament House in Canberra, but a eucalypt green that evokes the diffused green of the Australian bush. The Senate’s décor is similar to a gum-tip red eucalyptus leaf. The House has also shown that it is prepared to adapt its practices and give them a more Australian flavour. For example, recently there has been the introduction of a “sin bin”: a yellow card for a Member to serve a cooling-off period outside the Chamber for an hour rather than being given a red card and being sent off or out of the Chamber for 24 hours. Another has been the invention of procedures relating to a **Second Chamber**, or **Main Committee**, creating a stream of

---

<sup>2</sup> Barton subsequently expressed the opinion that the Swiss method provided the best model for appointing the Senate. He recognised the irony in this (*Official Report of the National Australasian Federal Convention Debates, Adelaide, March 22 to May 5 (1897)* p26).

<sup>3</sup> Ibid p24.

<sup>4</sup> Ibid pp29-30. Baker saw Canada as a partial federation because the Senate was appointed by a partisan leader.

parliamentary consideration parallel to that occurring in the House of Representatives Chamber. It cannot be a forum for the initiation of parliamentary business nor for final decision, but it can and does process everything in between. The Main Committee provides a venue for the consideration of committee reports. It provides a major alternative forum where private Members can pursue the opportunity to air their points of view. The meeting place is in a purpose-designed location, much smaller than the Chamber. All Members are members of the Main Committee, and its more intimate atmosphere leads to greater interaction in debate.

The Main Committee has been adopted in a modified form by the United Kingdom. The Select Committee on Modernisation suggested that Members consider that a body similar to the House of Representatives' Main Committee may serve as a model for a solution to the House of Commons' problems with legislative overload.<sup>5</sup> The UK Modernisation Committee did not, however, recommend a Main Committee in the Australian style, stating that:

We are not at this stage advocating the introduction of a "Main Committee" even on an experimental basis. It is a radical innovation which all Members will wish to consider with care, not only as to the principle but as to how it might work in purpose.<sup>6</sup>

The British equivalent undertaken on a trial basis was 'the House of Commons meeting in Westminster Hall', or 'Westminster Hall' for short. In debate on the motion to introduce the trial, use of the term 'Main Committee' was rejected as being 'too Australian'.<sup>7</sup> However, as endorsed by the report of the Modernisation Committee, the Australian model played a significant role in the House of Commons solution. In adapting itself to the realities of modern parliamentary governance at the same time as balancing the many personal and family demands of Members of Parliament in the modern age, the 'Mother of Parliaments' looked to one of the offspring for possible solutions. Recent reports suggest that the Canadian provincial legislature of British Columbia has also adopted a Main Committee.

### **III BENEFITS OF MEMBERSHIP OF A BODY SUCH AS THE IPU**

#### **International parliamentary bodies**

Given Australia's record in interacting with other Parliaments of the world, it seems natural that it would seek to gain the advantage of belonging to international parliamentary organisations. Two of its traditional areas of major emphasis have been the Commonwealth Parliamentary Association (CPA) and the Inter-Parliamentary Union (IPU). (More recently, Australia has also been an active participant in the Asia/Pacific Parliamentary Forum<sup>8</sup>).

---

<sup>5</sup> Ibid pp25-6.

<sup>6</sup> Ibid p25.

<sup>7</sup> Hansard HC, 24 May 1999, cols 98, 114.

<sup>8</sup> The APPF home page is at <http://www.appf.org.pe>

## **Commonwealth Parliamentary Association**

The CPA is comprised of national and state/provincial legislatures in the Westminster tradition. It holds an annual conference and a number of seminars each year. However, its annual conferences do not pass resolutions and its debates are not recorded verbatim; it carries out much of its work in other ways. For example it seeks to build capacity and knowledge of parliamentary institutions and practices through its sponsorship of workshops, seminars, educational programs and similar activities. Many Pacific countries are members of the CPA.

One thing that should be kept in mind in relation to the CPA is that it is an organisation in which provincial, territorial or state legislatures form branches and are accorded equal status and representation with the national branches. However, most of the countries in the Pacific region follow a unitary form of government rather than being a federation of States. One positive feature that warrants emphasis is that the Pacific nations are indeed nations:

The peoples of the South Pacific...constitute nations in the true sense of the word "nation". They have clear identities of culture, language, ethnicity and history. There is much to admire and learn from these societies...They have all the proper characteristic of a nation state – defined character, culture and boundaries – but have trouble functioning as a grown up country...<sup>9</sup>

Also, parliaments in the CPA are essentially formed after the Westminster tradition. In the IPU, the basic unit is the sovereign national state, and there is a much greater variety of governmental systems represented.

### **Operation of the Westminster system in the Pacific, and the French legacy**

Mr E George MacMinn QC, distinguished Clerk of the Legislative Assembly of British Columbia, Canada, has raised the question in a recent address to the Hansard Society "The Westminster system – Does it work in Canada?"<sup>10</sup>. While a specific answer to the question is not given, the implication is that the Westminster system does work in Canada. My observation is that Canada, a strong member country and supporter of the IPU, has experienced a successful fusion of its British and French background at national and provincial level. Canada has been the source of many inspirational parliamentary initiatives in recent years a number of which have been adopted by Australia. In some instances, the electoral systems leave something to be desired. For example, in British Columbia at the last general election the legislature, selected on the basis of a first past the post system, was composed of seventy-seven government members and two non-government members (insufficient to form an official opposition). Part of the response was to commission a citizens' convention to examine alternative voting systems, and to institute a system of public written questions. Under this process, questions may be asked of the Premier or his Cabinet by a person elected to a provincial or public body (defined as a municipal council, a regional district board, a school board, a tribal council or band, a chamber of commerce, a student union, a trade union local or a political party – one that

---

<sup>9</sup> *The South Pacific: policy taboos, popular amnesia and political failure*, Graeme Dobell in "Pacific Economic Bulletin, Vol. 18 No.1 2003, pp18 & 19. The abstract nouns mentioned in the title to the article are ascribed to Australia, not the Pacific nations.

<sup>10</sup> The text of the address will be published in a forthcoming article in *The Parliamentarian*, the Journal of the Parliaments of the Commonwealth, CPA Secretariat, London, UK.

nominated at least seventy candidates at the most recent election and secured at least five per cent of the provincial popular vote)<sup>11</sup>. Canada provides many examples of the adaptation of the Westminster system in a particularly Canadian way.

Many nations of the Pacific operate under systems inherited from England or France. Those that follow the Westminster tradition tend to be active members of the CPA. However, there is growing evidence that strictly adhering to the French or Westminster tradition may not be in the best interests of islands in the Pacific. There is, perhaps, a risk in attempting to translate systems to countries that do not sit well with their customs and traditions.

Because of its topicality, I will take, as my primary example, the Solomon Islands. The Solomons had, when the country's parliamentary democracy was functioning, a legislature in the Westminster model (although it adopted the non-Westminster tradition of having a Speaker appointed from outside the Parliament, as occurs in a number of legislatures). However, as recent events have shown, the country may not have been well-served.

Chairman of the Solomon Islands National Peace Council Mr Paul Tovua, formerly the country's Speaker and former Minister for Foreign Affairs, in delivering the annual address of the Centre for Democratic Institutions in March 2004 on *Rescuing Democracy in the Solomon Islands*<sup>12</sup>, indicated that parliamentary democracy was formed in the Solomon Islands in 1978, when the country became an independent nation. Parliamentary democracy was a new concept, and was developing in some ways until, in the year 2000 it was put to the test, and the political structure failed the test:

The failure of the political system, in my view, is due to the reality that from the beginning of democracy – 1978 – there has been a misconception about parliamentary structure in the Solomon Islands. What we implemented is not parliamentary democracy as it is understood and practised in other nations around the world. The Solomon Islands inherited the wrong kind of parliamentary democracy<sup>13</sup>.

Dr Stephen Sherlock in *Behind the Solomons Crisis: A Problem of Development*, has commented on the interaction of Westminster institutions with Melanesian political systems:

British colonial officials, although a relatively benign and stabilising force in Solomons' society, gave little attention to education, with the few schools being run by the missions...

The Solomons inherited Westminster institutions that interacted with Melanesian political systems in unpredictable ways. With fewer Western-educated people and with indigenous experience of representative institutions only dating from the creation of local administrations in the 1960's, there was only a tiny stratum of Solomon Islanders who had a sense of national political identity. Westminster-style elections encouraged leaders who appealed to narrow local loyalties and provided few incentives for the development of national-level policies. Broadly, leadership in Melanesian society is not inherited, but is achieved through winning benefits for one's own clan and becoming a "big man".

---

<sup>11</sup> LAof BC Website, <http://www.legis.gov.bc.ca/questions/4-10-2.htm>.

<sup>12</sup> [http://www.cdi.anu.edu.au/annual\\_address/aa\\_downloads/Paul\\_Tovua\\_speech.pdf](http://www.cdi.anu.edu.au/annual_address/aa_downloads/Paul_Tovua_speech.pdf).

<sup>13</sup> Ibid

The melding of Westminster institutions and Melanesian political practice has tended to break down the divisions between the private and public use of state and national resources that is a key (but often unstated) element of democratic accountability as it has developed over hundreds of years in the West. This has led post-independence Solomons' politics to be marked by shifting unstable alliances, frequent changes of government and the creation of coalitions through blatant vote-buying. Corrupt and inefficient use of government resources, together with policies created for minority interests, have enriched some powerful individuals (mostly the "big men" of national politics), but have squandered the country's scarce resources<sup>14</sup>.

Mr Tovua has echoed these sentiments with an indigenous poignancy:

I am a former politician. I know that when you stand for parliament in the Solomon Islands, you do not stand for a party, you stand as an individual. And when you vote in the Solomon Islands, you do not vote for a party, you vote for the individual – or more specifically you vote for your wantok. Wantok regime can be part of the problem against the implementation of proper parliamentary democracy.

I will explain what I mean by wantok because it has specific cultural meaning in our nation. Wantok means one language, tok means language. It refers to someone who speaks your language, your dialect. Someone in your family, in your tribe. In Honiara, where provincial groups live together, the term is expanded to mean someone from your province, Guadalcanal, Western, Malaita and so forth....

In the Australian culture, you think as individuals. This is not our way of thinking. When I think of myself, I think of my wantoks – my relatives. When I feed myself and my family, my wantoks also think that I should feed them... it can sometimes be a burden. It is also an honour and it is natural for us.

Of course, wantok regime has positive elements as well. It means we do not need a social security system. If I need help my wantoks will help me. The wantok system gets abused when it means that to help my family I must steal from others. If I work in the government, then I redirect funds or other resources to my pocket to feed my family and wantok.

It is hard – nigh impossible – to say no to a wantok even if it means getting things in an illegal way. Loyalty to wantoks is much greater than loyalty to broader society and it is greater than loyalty to the law, greater than loyalty to the system of democracy. So, you can see wantok regime can permeate into our democratic institutions. It does not end at politics...

It is important to understand wantok regime as it has operated since independence and it still operates today, for it is my belief that wantokism is inconsistent with democracy. We will never practise democracy until we address wantokism<sup>15</sup>.

A similar situation probably prevails elsewhere in the Pacific. A leading parliamentarian from Papua New Guinea has told me that the cultural expectations in his country lead to electoral practices that would not be sustainable in Australia. The article by Graeme Dobell, previously cited, argues that "[t]he recent election in Papua New Guinea shows how the Highlands have become badlands where the gun rules."<sup>16</sup> He also states that "Vanuatu has the same potential for conflict because of social pressures, rising expectations, corruption and the gap between rich and poor"<sup>16</sup>. In many Pacific countries, the basic concept of representation is linked to the village rather than to an electoral division, artificially determined in most instances in the

---

<sup>14</sup>, <http://www..aph.gov.au/library/pubs/rn/2003-04rn02.htm>

<sup>15</sup> Loc. cit.

<sup>16</sup> Op.cit, page 21.

eyes of the villagers who spend all their lives in the context of the village. A case in point is Niue, where 14 Members of the Assembly represent the 14 village constituencies, and 6 are elected from the common role of all electors on the island. There has been a suggestion for the adjustment of the number of seats in the Assembly, but this would most probably involve a reduction, and while the solution is generally agreed, the means of achieving it is not<sup>17</sup>.

However, to return to the comments of a practitioner, Paul Tovua, *wantok* is an honour to those who live according to its precepts; it is natural to them. It helps shoulder challenges that would otherwise need to be met by some sort of draining social security system. Graeme Dobell echoes these sentiments, in talking about incredibly *new* countries, in terms of western definitions, with first-generation independence leaders just fading from the scene: Fiji independent in 1970, Papua New Guinea in 1975, three others quickly through the rest of the 1970's – the Solomon Islands, Tuvalu, and Kiribati. Finally, Dobell identifies Vanuatu, whose creation in 1980 was relatively difficult, involving both the French and the British. However:

[t]hese are classic strong societies within weak states. The family and the village are at the centre. What Papua New Guinea calls *wantoks* – language groups or 'one talks' - are a social support system that impose great obligations but also provide social and emotional capital through family and extended relationships. In the Pacific, culture can translate as a deep sense of belonging<sup>18</sup>.

This cultural translation is one of the many positive elements identified by Graeme Dobell. He states that the Pacific has been coping with modernisation for centuries, and that there is integration between custom and the West, particularly in the churches. Christianity has been absorbed into the very being of the Pacific Islands and reinforces the strong reach of family and village. The Constitution of every Melanesian state except Fiji contains direct reference to the Christian faith. Christian principles along with values of Melanesia, Micronesia and Polynesia seem to be a favourable mix for political stability<sup>19</sup>.

### **French overseas territories**

The same assessment of the worth of the group is identified in *Custom and the Law*<sup>20</sup>, a work that concentrates on the situation in the French Overseas Territories. It discusses the relationship between indigenous custom and tradition, and externally-imposed Western societal structure. Guy Agniel quotes Leenhardt as follows:

A Melanesian is attached by the very fabric of his being to the group...his worth is relative to the position he occupies within it...he is qualified by this position, and is only 'real' through it and the role attached to it; he is one of the personas in the large game of the group...which must

---

<sup>17</sup> *Report on the Operation of the Fono Ekepule of Niue*, John Craig on behalf of the CPA Education Trust Fund (Australia), 25 May 2001, pp 5 & 27.

<sup>18</sup> *Op cit*, p19

<sup>19</sup> *Ibid*.

<sup>20</sup> Paul de Deckker and John-Yves Faberon (editors), Asia Pacific Press, Asia Pacific School of Economics and Management, The Australian National University, 2001.

insure its own perpetuation and glory...<sup>21</sup>

Agniel states that when the large European powers decided to set up colonial dependencies, the dominant doctrine for relations with the colonised society was that of assimilation. It had the systematic effect of directly transposing the metropolitan laws to the newly acquired territory. He states that France, in circumstances of existing social and legal organisation, but a noticeably different basis, tried to imagine a legal framework that would allow it apply the essentials of French laws, while maintaining as far as possible the reality of the sociological identities of the indigenous populations<sup>22</sup>. He also points to the need to redress the image of the French administration, too often accused of blind colonialism and being deaf to the indigenous voice<sup>23</sup>.

In discussing the Customary Council of the Territory of New Caledonia, de Dekker and Faberon indicate that there is no equivalent for the term “chief” in kanak vernacular – the corresponding notion being that of ‘elder brother’ or ‘eldest son’ - and that the term was inherited from the colonial administration. The chiefs do not have absolute power, and it is the clan that manages the tribe<sup>24</sup>. They also point to the fact that the elders speak more and more of preserving customary values, precisely because they feel that people are drifting away from them<sup>25</sup>.

Bruno Saura reinforces the concept that in New Caledonia the chiefly systems and the roles of ‘tribal’ and ‘high’ chiefs were invented by the French colonial administration. He says that in Tahiti and its islands, district councils, which had themselves replaced chiefly systems in the nineteenth century, were replaced by communes in 1972 without any of the institutions being split up<sup>26</sup>. He points to the quibbling character of Tahitians today, as attested by the overload of the courts<sup>27</sup>.

While not totally rejecting the many years of French and Westminster tradition that many Pacific countries have enjoyed, perhaps it would assist to take a wider view and develop along the lines of the “Ausminster” that Australia has adopted, or the Canadian moves to develop legislatures that take account of particular Canadian demands, to which I referred earlier in this paper.

The IPU provides an ideal environment in which to gain this wider experience. France and the United Kingdom continue to play a leading role in its activities and its deliberations. However, there is also a wealth of parliamentary experience available from other leading parliamentary jurisdictions.

---

<sup>21</sup>M. Leenhardt, *Do kamo*, in “Legal adaptations to sociological particularities”, Guy Agniel, *Custom and the Law*, op cit, p35.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid, p60.

<sup>24</sup> Ibid p63.

<sup>25</sup> Ibid p73.

<sup>26</sup> “Customary rules in French Polynesia”, in *Custom and the Law*, op cit, p86.

<sup>27</sup>

## **Inter-Parliamentary Union**

As well as being an active member of the CPA, Australia is also a member of the IPU. I would like to outline a number of areas where in my observation membership of the IPU has been of significant advantage to the Australian nation. The IPU is a world organisation of parliaments of sovereign national states, established in 1889. It works as a focal point for worldwide parliamentary dialogue, concentrating on peace, co-operation and representative democracy. At biannual meetings, it discusses a wide range of subjects, usually matters of high topical interest. However, it is more than a talk shop. It passes resolutions on matters of public and political interest. These resolutions express the collective views of the parliaments of the world. There is the opportunity for nations large and small to have an input into drafting committees. The resolutions are available to the nations of the world and international organisations such as the United Nations Organisation. The voices of the nation members of the IPU are heard on an international stage.

Some of the resolutions, adopted by the IPU on issues of international significance in 2003 and 2004, are as follows:

In April 2003, at its meeting in Santiago, the IPU adopted resolutions on the following matters:

1. Parliament's role in strengthening democratic institutions and human development in a fragmented world.
2. International cooperation for the preservation and management of trans-border disasters and their impact on the regions concerned.
3. Importance of the non-proliferation of nuclear, chemical and biological weapons of mass destruction and of missiles, including the prevention of their use by terrorists.
4. The need to put an urgent end to the war in Iraq and to re-establish peace: the role of the United Nations and the Inter-Parliamentary Union.

In October 2003, at its meeting in Geneva, the IPU adopted resolutions on the following matters:

1. The role of parliaments in assisting multilateral organisations in ensuring peace, security and in building an international coalition for peace.
2. Global public goods: a new challenge for parliaments.
3. The contribution of new information and communication technologies to good governance, the improvement of parliamentary democracy and the management of globalisation.
4. Parliamentary support for the implementation of the road map for peace in putting an end to the Palestine-Israeli conflict and achieving a comprehensive peace process and justice in the Middle East.

In April 2004, at its meeting in Mexico City, the IPU adopted four resolutions by consensus:

- Strongly urging the cessation of all acts of violence against the Palestinian and Israeli peoples, and condemning and strongly deploring the targeted assassinations and suicide bombings, both of which perpetuate the cycle of violence and diminish the prospects for reconciliation;
- Calling on Parliaments to support the inter-governmental structures, mechanisms and processes that promote stabilisation, reconciliation and peaceful development at regional and sub-regional level, and to enhance their parliamentary dimension;
- Relating to the issues of trade in agricultural products and access to basic medicines, priority within the Doha Development Round for the African cotton industry, and calling for radical reduction of agricultural subsidies that contribute to under-development, as well as the reduction of tariffs and non-tariff barriers imposed on imports from developing countries;
- Relating to furthering parliamentary democracy in order to protect human rights and encouraging reconciliation among peoples and partnerships among nations:
  - ❖ Urging parliaments to take an active part in debating and encouraging progress in reconciliation processes, and where Truth and Reconciliation Commissions have been established, by ensuring that their work and recommendations are made public and implemented;
  - ❖ Calling on parliaments to respect the political rights of opposition parties and the freedom of the media;
  - ❖ Encouraging the involvement of the IPU in parliamentary election monitoring and observation, thereby contributing to the legitimacy of the parliaments resulting from those elections.

### *Conferences and Assemblies*

Every IPU Conference or Assembly is an opportunity for representatives of the parliaments of the world to meet, and to negotiate on resolutions of this kind, that express matters of major significance in the world. This is not always an easy task, and many different points of view are canvassed, and deserve the opportunity to be aired and decided upon. The 108<sup>th</sup> Conference, in Santiago de Chile in April 2003 was held during the Iraq war, and understandably there were a number of differing viewpoints that had to be considered and negotiated in coming to a final position that could be adopted by the Conference. One of the special characteristics of the IPU is that it demonstrates that it is possible for reasonable people to differ on certain issues, while working towards a common goal of inter-parliamentary co-operation.

The Conferences and Assemblies provide a fertile ground in the formal and informal exchanges of member countries relating to parliamentary operation. Quite frequently, informal links are forged, and solutions obtained to pressing matters, as many parliaments experience challenges of a similar nature. It has been my observation that legislature-to-legislature links are usually strong, even where government-to-government relations may not exhibit the same strength.

### ***Regional relationships***

Speaking on the subject of *Aid governance initiatives in the Pacific* at a seminar on “Pacific Business” on 3 May 2004, Chris Tinning, performing the duties of Assistant Director-General, AusAID, stated that governance was the cornerstone of Australia’s pacific aid program for two related reasons:

- Australia recognised that good governance is a necessity for sustained growth and development. World Bank governance indicators clearly demonstrate the relationship between good governance and growth, including a correlation between countries performing well on indices like corruption and the rule of law and achieving credible growth rates.
- Australia recognised that the Pacific’s overall record on governance had not been strong. Lack of institutional capacity, a legacy of inappropriate colonial structures and a weakness in political systems have impeded internal stability and nation-building. In some cases, a lack of real sense of nationhood and poor transparency had seen the emergence of significant corrupt practices.

Mr Tinning also touched on four characteristics of Australia’s approach to addressing governance in the Pacific:

- The Australian aid program in the pacific was no longer solely the domain of AusAID; other central Australian agencies had enhanced their own engagements in the region, and this had profoundly positive implications for Australia’s capacity to build deeper linkages with her Pacific partners. [*While not included in examples provided by Mr Tinning, this includes the Australian National Parliament, associated with its CPA and IPU links – I will return to this point subsequently.*]
- There was an acceptance that comprehensive governance reform in the Pacific was a long-term endeavour. Achieving sustainability in governance initiatives was complex, and its acceptance depended on turning around some deeply-rooted constraints. Fostering ownership within the Pacific states themselves was fundamental to building the sustainability.
- It was important to tackle governance on a number of fronts. An important aspect is building capacity within country administrations to ensure key institutions of government can operate effectively over the longer term. However, equally important is work on strengthening civil society, promoting a strong and independent media, and building institutional and service capacity at the community level.
- Australia recognised that governance issues needed to be tackled at both a national and regional level. Many governance issues needed to be tailored to recognise the cultural, physical and political diversity, but the Islands also share many characteristics including isolation, increasing urbanisation, difficulty in taking advantage of the opportunities arising from global trade and investment, and above all, relatively small populations. Many governance issues are most effectively undertaken at a regional level to take advantage of these commonalities.

Mr Tinning summarised Australia's activities at the regional level in its three largest programs: the Solomon Islands, Fiji and Vanuatu.

#### *Solomon Islands*

In the Solomon Islands, the enforcement of a secure environment, and the provision of humanitarian relief to civilians, were essential before more sophisticated manifestations of aid – including the promotion of good governance – could be pursued. The program concentrated on strengthened assistance, including areas of economic governance and machinery of government. The machinery of government work would focus on establishing effective cabinet and parliamentary processes, reforming the public service, strengthening formal and informal accountability mechanisms and supporting electoral and civic education programs. Governance-related assistance would be extensive, but it would be designed to help build a government that was appropriate to the Solomon Island context, was affordable and accountable, and was accessible to the broader population.

#### *Fiji*

In Fiji, Australian-supported governance efforts have included a large law and justice program and an array of civil society groups to help build social cohesion, resolve conflicts and promote the rule of law. Recent assistance has included peace building and conflict resolution activities, ***youth training in parliamentary processes*** [emphasis added], and the production of community awareness materials on such topics as legal rights and the roles and functions of the media.

#### *Vanuatu*

In Vanuatu, Australia is supporting key aspects of the Government's Comprehensive Reform Program, particularly in the economic, financial and law enforcement public sector agencies. Major initiatives include the Ministry of Finance and Economic Management strengthening project. Australia has also assisted in the program to reform and strengthen the legal and policing systems.

#### *Regional activities*

A growing feature of Australia's approach to governance in the Pacific is an emphasis on regional approaches where this allows for more efficient and effective service delivery and improved administration. Regional leaders agreed at the 2003 Pacific Islands Forum that the serious challenges facing Pacific states warranted examination of the pooling of scarce national resources. The regional pooling model recognises that it is difficult for Pacific states, particularly the smaller states, to maintain on a discrete national basis all the arms of modern government. Recent examples are the Pacific Regional Policing Initiative (including plans for a police regional Executive Development Program), the Pacific Regional Transport Study, and a proposed Pacific Governance Support Program, to assist the transfer of public sector expertise and the establishment of institutional linkages between Australia and the Pacific<sup>28</sup>.

---

<sup>28</sup> On 13 May 2004, the Australian Deputy Prime Minister and Minister for Transport & Regional Services made reference in the House to the training of personnel from Pacific island countries as they seek to develop, put in place and run their security plans, particularly in respect of Papua New Guinea—House of Representatives *Hansard*, p 28490.

Mr Tinning indicates that the concept of pooling in the Pacific is not new, and builds on the collaborative tradition of Pacific states. He identifies the University of the South Pacific as an example of the benefits that can accrue from regional pooling.

### ***The role of the IPU in adopting a regional approach***

Of course, the Pacific is a recognised region under the CPA. A number of Pacific nations are currently members of the CPA. However, many – for example, former colonies or mandated territories of France or the USA – are not. There is no real parliamentary forum in the wider sense covering Pacific parliaments. However, this could well be provided with wider membership of the IPU.

Geopolitical groups play an important role in the functioning of the IPU. They are formed under article 25 of the Statutes of the IPU, and this article also provides that the Executive Committee of the IPU may invite the Chairs of the geopolitical groups to participate in its discussions in an advisory capacity.

The current groups are as follows:

- African Group (39 members)
- Arab Group (14 members)
- Asia-Pacific Group (25 members)
- Eurasia Group (7 members)
- Latin American Group (17 Members)
- Twelve-Plus Group (43 members)<sup>29</sup>.

Of the 25 members of the Asia-Pacific Group, in addition to Australia and New Zealand, only Fiji, Papua New Guinea and Samoa are members. They are the only Pacific members of the IPU, whereas the potential membership, and a potential in determining the approach of the group, is much greater.

Earlier in this paper, I mentioned that the Parliament of the Commonwealth of Australia was one of the agencies that had enhanced its engagement in the Pacific region. Very important elements in its engagement in this regard are the international associations of which Australia is a member. In April this year, the Presiding Officers provided a response to both Houses of the Australian Parliament to the relevant recommendations of the Senate Foreign Affairs, Defence and Trade Committee on *A Pacific engaged: Australia's relations with Papua New Guinea and the Island States of the South-West Pacific*<sup>30</sup>.

The committee recommended that representatives of the Australian representation in the IPU and the Centre for Democratic Institutions (CDI), along with relevant officials from the Department of Foreign Affairs and Aus AID, develop a vehicle for the co-ordinated provision of training services aimed at the institutional strengthening of parliaments in the Pacific region. The Presiding Officers replied that they were joint presidents of the IPU national group and the Commonwealth branch of the CPA. The CPA provides financial assistance through a trust fund, administered in

---

<sup>29</sup> <http://www.ipu.org/strct-e/geopol.htm>

<sup>30</sup> *Votes & Proceedings of the House of Representatives*, 1 /4/04, p1577; *Senate Hansard* 1/4/04,p22640.

conjunction with the Australian States and Territories, which assists in the training of personnel and the provision of equipment to legislatures to Commonwealth countries in the Pacific. The Presiding Officers are advised in this regard by AusAID.

The Australian Presiding Officers also indicated that they had endorsed action for strengthening parliaments in the Asia Pacific region, such as supporting CDI initiatives in Indonesia, and in extending IUP funding for training – for example, to Timor Leste.

The Presiding Officers also mentioned that I was currently President of the Association of Secretaries-General of Parliaments, and that I had been asked to represent the IPU at the conference on political culture, representation and electoral systems in the Pacific in July 2004.

The committee also recommended that the Presiding Officers develop strategies for the closer involvement of officials and parliamentarians of the Australian parliament to assist in the promotion of good governance in the Pacific Region. The Presiding Officers outlined what was currently being done, and outlined as future possibilities:

- The provision of a specific staff person with the responsibility of identifying, co-ordinating and promoting training for the Pacific region. This person would maintain continuity and avoid duplication of training in the region, and co-ordinate with relevant agencies such as the Department of Foreign Affairs and Trade, AusAID, UNDP, CDI and the World Bank. Oversight of duties such as these would fall within my official responsibilities, and I am evaluating the financial impact and other consequences of this very useful suggestion.
- The recommendation could be raised by those Senators and Members who are delegates at IPU and CPA meetings. This would be by way of testing the recommendation's acceptance and testing its implementation. It could also be discussed at the next Presiding Officers' Conference, held between Speakers of the Australian federal parliament, States and Territories, and the Parliaments of the Pacific. It could also be discussed at meetings of the Association of Secretaries-General of Parliaments and the Australia/New Zealand Association of Clerks-at-the-Table.

The Australian Parliament's regional emphasis has been reinforced by the report of two recent parliamentary delegations, and by a report of one the Parliament's most significant committees, the Joint Committee on Foreign Affairs, Defence and Trade. The report of the Parliamentary Delegation to the Solomon Islands, presented to the House of Representatives on 24 May 2004, suggested that if the Australian Government was involved in future assistance in the region, then it should ensure that all key representative groups were consulted to ensure that the reconstruction process was comprehensive<sup>31</sup>. It recommended that the Australian Department of Foreign Affairs and Trade should provide detailed information about the Regional Assistance Mission to the Solomon Islands (RAMSI) in its annual report. In addition, the delegation recommended that, whilst RAMSI remains a critical part of the Solomon Islands recovery, the Minister for Foreign Affairs should make an annual ministerial statement to the House reporting progress with RAMSI<sup>32</sup>.

---

<sup>31</sup> Report, p14 – *Votes & Proceedings of the House of Representatives 2002-04/1615*.

<sup>32</sup> *Ibid*, pp15 & 16.

The report of the Parliamentary Delegation to the Republic of Indonesia and the Independent State of Papua New Guinea, also presented to the House on 24 May 2004, was led by the Deputy Speaker of the House of Representatives and the Second Deputy Speaker was also a member of the delegation. The report supported the continued engagement of the Australian Parliament with the Indonesian Parliament<sup>33</sup>, and the continuation of the very close ties between Australia and Papua New Guinea<sup>34</sup>. In respect of each of the countries recommended the development of an MP partnering scheme, possibly managed through the IPU, whereby individual MPs from Australia and from both the Indonesian and Papua New Guinea Parliaments would agree to maintain contact with, and offer support to, each other, on a personal basis<sup>35</sup>.

On 31 May 2004, the Joint Committee on Foreign Affairs, Defence and Trade presented its report *Near Neighbours – Good Neighbours: An Inquiry into Australia's Relationship with Indonesia*<sup>36</sup>. In recommending the establishing of a Parliamentary Development Program to provide assistance to developing parliaments, the committee drew attention to the Australian national Parliament's initiatives in providing advice, education and training for Members and staff in a number of parliaments in the Asia/Pacific area, as well as in areas such as Africa and Kosovo. The Committee recommended that the Australian national, State and Territory Parliaments co-operate to draw together the disparate elements of work in the area, to be located in the Parliamentary Relations Office of the national Parliament<sup>37</sup>. This matter is currently under consideration, and will be discussed with the various State and Territory Parliaments.

#### ***Access to expertise, but not at the expense of national identity***

IPU membership makes available the expertise and in certain instances the resources of the Union to nations moving along the path of parliamentary self-identification. However, I should also add that I believe that exposure to other parliamentary traditions is not at the expense of national traditions and national identity. In a great many matters, it assists in the preservation of the special characteristics that define many nations. Association with other nations in an international environment allows the particular features of a nation to be made known on a wider stage. For example, the practice of local village councils, known as maneabas, considering the proposed decisions of the national Maneaba in Kiribati is one local tradition from which a country like Australia could well learn. There are other Pacific traditions that could well enrich the world's legislative tradition.

#### ***Promotion of good governance, democracy and the rule of law***

The IPU's activities also promote the principles of good governance, democracy and the rule of law. The Union works for peace and co-operation amongst peoples and for the firm establishment of representative democracy. Among its main areas of activity are:

- Promotion of Parliamentary Democracy
- International Peace and Security
- Sustainable Development

---

<sup>33</sup> Report, p18

<sup>34</sup> Ibid, p34.

<sup>35</sup> Ibid, pp18 & 34.

<sup>36</sup> *V&P of the House of Representatives*, p1647

<sup>37</sup> Report, pp 122-3, & 224-51.

- Human Rights and Humanitarian Law
- Women in politics - Democracy through partnership between women and men
- Education, science and culture.

Of course, many of these themes are inter-related and inter-connected. All are equally important and receive equal emphasis. However, given the conference theme of political culture, representation and electoral systems, I propose to concentrate on the IPU's activities in relation to the promotion of parliamentary democracy.

### ***Promotion of Representative Democracy***

The issue of defence and promotion of representative democracy goes to the core of much of the IPU's action. A Universal Declaration on Democracy was adopted without a vote being necessary in 1997. The terms of the text are available on the Union's web site<sup>38</sup>.

Questions frequently discussed from different angles at the Union's statutory and specialised conferences include:

- Prevention of military and other coups against democratically-elected governments;
- Links between Parliament and people;
- Human development and the link between democracy and economic growth;
- Democracy and ethnic diversity;
- Democracy and educational and cultural policies;
- Parliamentary action to fight corruption.

On certain occasions, the Conference has spoken out in defence of parliamentary institutions in individual countries.

### *Current focus*

Currently, the attention of the Union in the domain of representative democracy has been focussed on the promotion of knowledge of Parliaments, parliamentary elections and support to parliamentary institutions. I will briefly describe IPU activities in relation to each item of current focus.

### *Promotion of knowledge of Parliaments*

Through its program for the study and promotion of representative institutions, the IPU sponsors comparative studies on Parliaments and their working methods, gathering and disseminating information on the constitutional powers, structures and working methods of Parliaments, on the status of their Members, on electoral systems, and on national parliamentary elections and their results.

Much of the information about parliaments is gathered in the Union's unique database of parliamentary information **PARLINE**<sup>39</sup>. This database is regularly updated on the basis of official information provided by national parliaments. It also has a module dealing with specialised parliamentary bodies (currently containing information about parliamentary human rights available on-line, with other categories to follow). There

<sup>38</sup> <http://www.ipu.org/cnl-e/161-dem.htm>

<sup>39</sup> <http://www.ipu.org/parline-e/parlinesearch.asp>

is also available biographic data on women in politics, with a search facility. As a frequent user, I can confirm that it provides the most reliable source of up-to-date information on the national parliaments of the world.

The Union also publishes hard copy of comparative studies and other reference material on parliaments and electoral systems for use by parliamentarians, other practitioners, academics and the public at large. Among these are special reports and surveys. Those published in 2003 included:

- Timor-Lest
- Parliament and the budgetary process, including from a gender perspective
- National seminar on “Rwandan women and the electoral campaign”
- Parliamentary Conference on the WTO
- Towards sustainability: implementing Agenda 21
- Ten years of strengthening parliaments in Africa, 1991-2000. Lessons learnt and the way forward.

A number of periodicals are available. These include:

- The World of Parliaments
- IPU assembly and related meetings – Results
- Activities of the IPU – Annual Report of the Secretary-General
- IPU Information Brochure
- Chronicle of Parliamentary Elections
- World Directory of Parliaments
- Statutory Assemblies: Summary Record of Proceedings
- List of books and articles catalogued
- World-wide Biography of Parliaments and Thematic Biographies
- Constitutional and Parliamentary Information (published by the Association of Secretaries-General of Parliaments, of which I am the serving President).

The IPU also publishes a number of monographs. In the context of the current Conference concentrating on the Pacific, I will list the following:

- Free and Fair Elections: International Law and Practice
- Codes of Conduct for Elections
- Democracy: its Principles and Achievement
- The Parliamentary Mandate.

In recent years, the IPU has commenced publishing a series of publications addressed to legislators. Each handbook contains reference material, model instruments and examples pertaining to one specific field of legislative and regulatory practices. The topics covered are:

- Handbook: A Guide to Parliamentary Practice (2004)
- Handbook for Parliamentarians “The Convention on the Elimination of All Forms of Discrimination Against Women and its Optional Protocol” (2003)
- Handbook for Parliamentarians “Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices (2003)
- Handbook for Parliamentarians “Eliminating the Worst Forms of Child Abuse” (2002)
- Handbook for Parliamentarians “Refugee protection; A Guide to International Refugee Law”(2001)

- Handbook for Legislators on HIV/AIDS, Law and Human Rights(1999)
- Handbook for Parliamentarians: Respect for International Humanitarian Law (1999).

### *Seminars*

The IPU organises international symposia and seminars for parliamentarians, senior parliamentary officials and civil servants, scholars and other experts to study the functioning of parliamentary institutions. Recent examples have been:

- Seminar for parliamentarians from Africa on relations between majority and minority parties in African parliaments (Gabon, 1999)
- Seminar for MPs from countries in West and Central Africa (Burkina Faso, 1996)
- Seminar for parliamentarians from the Southern Africa sub-region on the functioning of a parliament in a multi-party democratic setting (Zambia,1995).

### *Elections*

The IPU is also involved in the observation of parliamentary elections. In 1993, the Inter-Parliamentary Council adopted a decision on IPU policy and involvement in electoral processes calling on the IPU to be present at national electoral processes which are organised, supervised or verified by the United Nations Organisation. These election-observer missions are composed of parliamentarians who observe the registration of voters, the election campaign, the casting of ballots, and the verification of the results.

The IPU's normative work on free and fair elections has been mentioned in connection with publications discussed earlier in this paper.

### *Support to parliamentary institutions*

The IPU provides practical support to parliamentary institutions in its Technical Cooperation Programme. This seeks to mobilise international support for improving the capabilities, infrastructure and technical facilities of national parliaments with a view to enabling them to fulfil their constitutional role more effectively. Projects include expert advice on the structure and working methods of legislative assemblies, the organisation of staff training courses, and the provision of technical equipment and other material resources.

Funding for these projects come from a variety of sources. These include the United Nations Development Program, the European Commission, the Norwegian International Development Co-Operation Agency (NORAD) and the Swedish International Development Co-operation Agency (SIDA).

### **Association of Secretaries-General of Parliaments**

I have mentioned in passing the body of which I am currently at the end of the first year of a three-year term as President of the Association of Secretaries-General of Parliaments (ASGP). The ASGP is constituted as a consultative body under the IPU. It seeks to facilitate contact between the holders of the position of secretary-general in national parliamentary assemblies or international parliamentary assemblies, whether or not that legislature is a member of the IPU. Association membership is independent of the IPU. This is a most important consideration when the affiliation of a parliament

to the IPU is suspended because the parliament has ceased to function. It is important to retain parliamentary contact in these circumstances, in the hope that the parliament will resume functioning, and the secretary-general is in a position to provide continuity.

The ASGP meets twice a year, in line with the meetings of the IPU. Every September/October this is in Geneva, and in March/April elsewhere in the world, depending on the country hosting the annual IPU conference.

The ASGP's deliberations are deeply interwoven with concepts of good governance and parliamentary procedure. The aims of the Association are to:

- Facilitate personal contacts between its members
- Co-operate, in conjunction with the IPU, with those parliaments requesting legal and technical assistance and support
- Study the law, practice and procedure of parliament
- Propose measures for improving the working methods of different parliaments
- Secure co-operation between the services of different parliaments.

The Association also assists the IPU, when asked to do so, on subjects within the scope of the Association. In the recent past, I have been given the opportunity to have input into draft rules for the Constitutional Loya Jirga of Afghanistan, to assist in the training of committee staff in Afghanistan, and to assist with several aspects (in conjunction with the UNDP) of parliamentary democracy in Timor Leste and Kosovo.

The ASGP is also establishing a register of experts in parliamentary democracy. This is being centralised at IPU headquarters in Geneva, and will be available for the allocation of personnel for specific training tasks. In 1994 I was part of a CPA group called the Expert Group on Parliamentary Training. In the next two years, I plan to extend the coverage of this from Westminster legislatures to all parliamentary assemblies.

As mentioned elsewhere in this paper, the Association publishes annually its bulletin, *Constitutional and Parliamentary Information*. This is published in English and in French. In the near future, the contents of all issues will be catalogued and a cumulative index prepared, providing a ready reference for many topics related to governance.

### **The IPU and the UN**

In the light of the last-mentioned field of activity, it is not surprising that the IPU works in close association with the United Nations Organisation. The IPU supports the efforts of the United Nations, whose objectives it shares, and the IPU works in close co-operation with it.<sup>40</sup> At the meeting in Jakarta in October 2000, the Inter-Parliamentary Council suggested that the General Assembly:

---

<sup>40</sup> 'What is the IPU?', IPU home page <<http://www.ipu.org/english/whatipu.htm>> at 3 September 2001.

request the UN Secretary-General, in consultation with member states and the IPU, to explore ways in which a new and formalised relationship may be established between the IPU, the General Assembly and its subsidiary organs, and to report thereon to the General Assembly at its resumed session in May 2001.<sup>41</sup>

The United Nations General Assembly adopted a resolution on UN-IPU co-operation on 21 November 2002. Having just previously granted the IPU observer status<sup>42</sup>, the Assembly then gave the IPU the exceptional right to circulate its official documents. Speaking to the Assembly, the President of the IPU Council, Senator Sergio Páez (from Chile) recognised the resolution as a milestone in the evolving relationship between the two international organisations:

As parliamentarians, we are particularly apt at helping to solve problems by using our personal and parliamentary skills. We are often able to open up channels of communication and build bridges of international understanding when official diplomacy is unable or unwilling to do so. The fundamental notion underlying the exercise of democracy is the respect of the other. Democratic life entails both the right to differ and the acceptance of such difference by all. Parliamentary practice takes those differences and uses them to build majorities and forge agreements; we parliamentarians can therefore help to assemble the national consensus that is necessary for international action<sup>43</sup>.

Speaking of the authorisation of the circulation of IPU documents at the UN, the Secretary-General of the IPU, Mr Anders B Johnsson said that the exception for the IPU was granted in view of the unique inter-State character of the IPU as the world organisation of parliaments. Distribution of official IPU documents at the United Nations was, he said, one important way of bringing the voice of the people, through their elected representatives, to the United Nations<sup>44</sup>.

An Annual Parliamentary Hearing is held at the United Nations Headquarters in New York. It was last held on 27 October 2003, with the participation of over 120 legislators from 42 national parliaments and two regional parliamentary organisations. Senior UN officials, members of the diplomatic community in New York, and representatives of other international organisations also attended.

The program provided for an open and inter-active discussion on the main issues of the international agenda, including reforming the UN system as a precondition for greater world security, progress and setbacks in the international fight against terrorism, assessing the danger of unresolved crises (with a particular focus on Iraq and the Middle East, as well as financing for development<sup>45</sup>).

During the program for the 2003 annual Parliamentary Hearing, the Secretary-General of the United Nations, Mr Kofi Annan, said that the UN was not, and was never meant to be, a world government, but it was sometimes referred to as “the Parliament of man”. It was founded in the name of the peoples of the world, and it exists to serve them. Therefore, the voices of the people must be heard at the UN, and few render that voice more authentically than elected parliamentarians. He expressed pleasure

---

<sup>41</sup> *Bulletin 2/2000 of the Inter-Parliamentary Union*, July-December 2000, 44.

<sup>42</sup> Inter-Parliamentary Union Press Release No. 145, 19 November 2002.

<sup>43</sup> Inter-Parliamentary Union Press Release No. 146, 21 November 2002.

<sup>44</sup> *Ibid.*

<sup>45</sup> IPU Press Release *Annual Parliamentary Hearing at the United Nations*, 27 October 2003

that the General assembly had granted the IPU observer status, and said “Enhancing the parliamentary dimension of the work of the United Nations has strengthened the United Nations itself.”<sup>46</sup>

The IPU has appointed an Ambassador to the United Nations Headquarters in New York. She is Dr Anda Filip, who was formerly an Ambassador for Romania. Dr Filip has responsibility for IPU relations with the UN and the US Congress.

#### **IV CONCLUSION**

I mentioned at the commencement of this paper that I believed that Australia had gained significant benefit from its participation in the IPU. It has enabled the strengthening of parliamentary practice, awareness of electoral developments, and an emphasis on good governance in an international environment, but not at the expense of the country’s national identity. Perhaps the nations of the Pacific region who are not members of the IPU might examine whether they believe that similar benefits will accrue to them by joining, and playing an active role in, the Inter-Parliamentary Union.

---

<sup>46</sup> United Nations Organisation Press Release SG/SM/8965, 27 October 2003.