



# Parliamentary Centre

BULLETIN

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## Drive for Democratic Renewal

The Parliamentary Centre is moving to complement its wide range of international programs with a program in Canada that it is hoped will contribute to democratic renewal and improved parliamentary performance in this country. Executive Director Robert Miller, who is taking personal charge of this new program, says it “will move the Centre beyond its past role of quietly advocating parliamentary reform to helping in a more publicly engaged way to stimulate, support and monitor the implementation of reform.”

Prime Minister Paul Martin has spoken strongly about the “democratic deficit” in Canada and has outlined plans for parliamentary reform, putting his House Leader Jacques Saada in charge of reform measures. Miller defines the democratic deficit as “the loss of public confidence in democratic institutions and practices” manifested in many ways including a declining interest in elections and voting. In the 2000 federal election fewer than 60 percent of registered voters went to the polls and only one in four young voters – aged 18 to 25 – exercised the franchise.

The challenge, he says, is to overcome cynicism about the capacity of the Canadian democratic system to be reformed at all, and “to think positively about democratic renewal”. Many Canadians may believe their elected leaders are more interested in their immediate political

advantage than in the health of the political system. However, at all three levels of government, there are growing signs that representatives “are becoming seized of the need for democratic renewal and actually initiating changes that may complicate their own political fortunes”.

Besides Mr. Martin’s own plans, examples include the Citizen’s Assembly on Electoral Reform in British Columbia, whose 160 members have already begun studies, and the Secretariat for Democratic Renewal set up by the new Ontario government. As well, in February representatives of six provincial governments met in Ottawa for a panel on electoral reform.

The initial focus of the Parliamentary Centre’s program will be on strengthening the performance of parliamentary committees; for, as Miller explains, committee work represents the point in the system where MPs from the various parties in the Commons come together to investigate and debate policy. It is crucial, he suggests, for the government to proceed with parliamentary reform on a multi-party basis. The Alberta model of allowing free votes inside the government caucus, will do little to strengthen Parliament as an institution.

The Centre’s work will include developing an approach to monitoring committee performance that MPs and the public see as credible and that helps MPs improve their own capacity. Another activity will be documenting

and assessing how parliamentary reforms have been implemented.

More immediately, the Centre has already launched *Democratic Renewal*, an electronic newsletter providing news and offering analysis of public policy initiatives at municipal, provincial and federal levels to reform key democratic institutions. The first two issues have been placed on the Centre’s website ([http://www.parlcent.ca/newsletter/index\\_e.php](http://www.parlcent.ca/newsletter/index_e.php)). The newsletter will be published six times a year.

Miller plans to form a steering committee that includes widely respected former parliamentarians and others “with a track record of supporting a strong role for parliamentary democracy”. He also wants to see all Centre staff involved to some degree in these Canada programs, “as knowledge of and credibility in the Canadian experience is fundamental to what we do internationally.”

He has outlined a \$1.4 million budget for a four-year program, and seeks to raise funds from sources including parliament, foundations and the private sector.

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## Success Stories #3

### China Opens More Doors for Consulting People



“No-one could have expected the type of exchanges and openness we received from our Chinese partners. And I was pleasantly surprised by the variety of topics that were OK as far as the Chinese were concerned – for instance, political parties and elections. These are subjects we thought we would never be able to touch.”

Christine Ivory speaks about the China-Canada Legislative Cooperation Project that she directs for the Parliamentary Centre. She joined the Centre in September 1999, after gaining an MA in International Relations from Queen’s University with a thesis on Russian foreign policy. She is now Program Director for Asia, and one of her prime responsibilities in recent months has been developing the second and much expanded stage of the China program.

She returned from Beijing in March 2004 with agreement from the National People’s Congress (NPC) of China to a \$4 million project of cooperation at both the national and provincial level that is being funded by the Canadian International Development Agency and with an expectation that it will begin in May.

The first phase took shape in 1997-8 and by its completion in 2001 a firm foundation had been built with the NPC, several of whose officials had come in delegations to Canada. They made clear that one important priority was public consultation and the engagement of Chinese citizens. Christine says:

“The Chinese have identified the legislative institution as a place where it is safe for them to consult with citizens and to use that as a model for what they are doing to open up the political system. So they are allowing more and more consultation to take place, especially from village up to provincial levels, but they have also revised the “Legislative Law of the People’s Republic of China”, essentially their law on law-making, to include a stipulation that consultation has to be part of the law-making process.”

What precisely does consultation mean in China and what kinds of advice can a Canadian team give?

Christine: “The way we work with the Chinese is never to impose ideas or even propose. All we do is to identify lessons learnt from Canadian or other systems, and give them access to information and models they might use. In some cases consultation is just the sharing of information from government to the people and not a two-way street, especially at the national level. But there have been cases of organizations and associations being able to propose amendments to laws that were accepted by the government.

“At the local level, there are more and more cases of proactive consultation, in ways not even experimented with in Canada. Some of the provincial and local congresses have allowed the publication of their legislative agenda, and then asked for proposals and recommendations from the public through newspapers and public announcements, and have received thousands of proposals. Some proposals were very logical, for example on land reform, and congresses have agreed to formulate laws according to these recommendations.

“Obviously at the local levels they are limited in scope to administrative decrees concerning, say, property issues surrounding where development would be, and sanitation work and so on. Consultation is presently happening at the micro level, at a level where the leadership feels comfortable. But it is a trend that is gathering speed.”

In February 2003 Christine and Executive Director Robert Miller spent three weeks in China designing the project’s second stage with counterparts from the NPC and the congresses of Yunnan and Zhejiang provinces. With them were Professor Bernie Frolic, veteran Sinologist at York University, and Alain Bissonnette, a lawyer-anthropologist. Also on the team as gender adviser was Chen Min, a Beijing-based lawyer who trained at the University of British Columbia and has made news recently in China as an expert witness at the murder trial of a woman in Hebei Province with the first-ever plea of self-defence in a groundbreaking case of domestic violence.

The China-Canada Legislative Cooperation Project seeks to improve the capacity of the NPC as well as provincial congresses – Jiangsu and Inner Mongolia are also included in this project – in order to tackle some of the challenges facing legislative bodies in China. These range from compliance with World Trade Organization (WTO) and other international agreements to the growing need to address poverty reduction and rural development in all government policies and legislation, challenges compounded by an overburdened agenda of legislation and the difficulties of implementing many laws.

## Civil Society Scores in Cambodia



Imran Arshad arrived at the Parliamentary Centre last November to work with the Asia team in the management and implemen-

tation of the Cambodian program. The program also involves staff based in Phnom Penh: Bunleng Men, the Field Manager who is Canadian-Cambodian, and his assistant Mom Sokhayouk.

Imran has considerable experience in the region. He came fresh from three years in Vientiane, where he worked with the National Economic Research Institute. He had been posted to Laos for two years by CUSO, and extended for a third year.

He says: "I am pleased with the amount of work being done by local consultants on this project. In Laos there is a heavy reliance on foreign experts, which can undermine the sustainability of international development efforts." He is also impressed by the strength of civil society groups in Cambodia. The situation, he says, is "quite unlike Laos, where indigenous NGOs are prohibited."

Civil society groups in Cambodia focus on a wide range of concerns, from women's issues to acting as watchdogs for human rights to very local issues of land reform. Christine Ivory, Program Director for Asia, adds: "Civil society groups in Cambodia are well organized and very active at the political and legislative level. Numerous NGOs have proposed legislation to the government or have assisted ministries in drafting specific bills. Given the power and legitimacy of

civil society in Cambodia, many civil society leaders who might otherwise be in politics have found that NGOs are the better avenue for pressing their case." She hopes that the Centre's Cambodia-Canada Legislative Support Project may be able to do more to bridge the ground between civil society and government.

Imran provides a number of examples of the partnership between the Centre's work and that of Cambodian civil society groups. Recently, several local organizations

working on women's issues came together at a workshop the Project organized on domestic violence legislation. Similarly, the NGO Forum on Cambodia used its expert local knowledge to introduce Cambodian parliamentarians to fishermen, farmers, business group members and others who came together at a Centre sponsored roundtable on the Poverty Reduction Strategy Paper process. This forum provided many stakeholders an opportunity to share their definitions of poverty and their ideas for alleviating it locally.

## Steering Round the Cambodian Deadlock

Despite the lengthy deadlock in Cambodia in negotiations to form a coalition government after the July 2003 elections, the Parliamentary Centre has been able to press ahead with important parts of the legislative support program that was agreed upon three years ago.

The Cambodia-Canada Legislative Support Project (CCLSP) has three purposes: to improve the capacity of the National Assembly, the Senate and their Commissions to draft and review legislation; to increase the responsiveness of MPs to their constituents; and to improve the ability of the staff of the Secretariats to support the National Assembly and the Senate.

The deadlock has blocked meetings of the National Assembly itself, and thus stalled some planned activities with its MPs. However, the Project has wide enough scope to carry out activities in other areas, such as capacity building initiatives with the Secretariat staff. As well, the Centre has been able to work with the Senate,

which was created after the turbulent 1998 election in an exercise of political mediation. This continued work will inevitably benefit parliamentary performance as a whole.

In particular, the Project has tapped the enthusiasm of H.E. Chea Peng Chheang, chair of the Senate's Banking and Finance Commission, and the expertise of Sok Hach, a Cambodian economist who heads an independent research institute. Sok Hach has acted as an advisor to the Commission members and organized field research missions to different parts of Cambodia in order to survey attitudes and analyze the impact of particular events. For example, although there were no cases of SARS in Cambodia, the outbreak in neighbouring countries did affect tourism throughout the region, and the Senators had an opportunity to study this impact in their country.

Another initiative undertaken by Sok Hach and the Commission last year involved research into the economic effects of the Thai-Cambodia border

closure. The closure was a result of riots that broke out when the Thai Embassy in Phnom Penh was burnt and Thai businesses looted, all consequences of a Thai claim to the ownership of the Angkor shrines. The economic effect, says Christine Ivory, Program Director for Asia, "was devastating as the border with Thailand was closed for months. The Commission traveled to the border and interviewed Cambodians whose livelihood depended on cross-border trade or who worked in Thai casinos." Through these travels, Sok Hach has been training the Commission staff to do their own research and support parliamentarians in undertaking field consultations.

Another local consultant, lawyer Dr. Kim Y, has been training staff of the legal and research departments of both the Senate and the National Assembly, with the main aim of improving their legal and analytical skills by setting legislative assignments. He is working in partnership with the Centre for Asia Pacific Initiatives (CAPI) that is based at the University of Victoria, British Columbia, whose role on the Project is to strengthen the legislative capacities of parliamentarians and their staff.

The country's political impasse began in July 2003, when the Cambodian Peoples Party (CPP), which under Hun Sen has been the main governing party since the first elections in 1993, won 47 percent of the vote and some 73 of the 123 seats in the National Assembly. But a two-thirds majority is required to form the government, and the CPP therefore needs to build a coalition with either the royalist party Funcipec or the Sam Rainsy Party (SRP).

While Funcipec and SRP (virtually equal in strength) did not between them win enough votes or seats to form the government, they have formed an Alliance of Democrats in opposition to the CPP. Thereupon, Prime Minister Hun Sen has continued in charge of a caretaker administration, while still seeking a coalition partner.

When will the political impasse end, and the full program involving National Assembly members begin? The break may come through international pressure, as the caretaker government is running short of funds to pay public servants, even its diplomats, and yet has not the standing to face the consultative group of donors.

## Lessons Learnt

### Canadians and the Sri Lanka Civil War

In September-October 2003 Executive Director Robert Miller and Anne Deines, a consultant from British Columbia, carried out an end-of-project review of a CIDA-funded project in Sri Lanka, where the Human Rights Centre of the University of Ottawa had been managing a broad-based program to strengthen governance and human rights. It began in 1996 when the civil war between the government and the Tamil Tigers was at its height, and Canada hoped to have some strategic impact but was understandably cautious of the difficulties. It had many start-up problems, including a turnover of field directors, but was finally rescued in 2001-3 by a competent director.

Bob Miller's task was to study lessons learnt for any future involvement. In brief, he thought the broad themes of the project – reform of the public service, the role of civil society, the training of judges – lacked focus. "Each element could have been a project in itself. The reasoning was to put a little bit here, a little there and, if one part showed no progress, shift effort to another. That is being responsive, not strategic. For that, it is absolutely critical to have top, well-informed local people on the ground, because you are continually reading the situation, responding to requests and building relationships. But, if you want to be strategic, you have to deal with government at a high level and make sure it is committed – and the Sri Lanka government had, and has, other preoccupations."

Canada has been helpful, however, in the current peace talks. Miller says: "Everyone is agreed that some kind of federal system is going to have to be part of a deal." Former Ontario premier Bob Rae has been an adviser on federal options, and has "been doing very useful things."



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