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CPA UK BRANCH DELEGATION TO MALAYSIA, SINGAPORE AND BRUNEI NOVEMBER 2013

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1 DELEGATION

Leader:	Ian Liddell-Grainger MP (Con)
Members:	Rt Hon. John Denham MP (Lab) Rt Hon. Lord Dholakia OBE DL (Lib-Dem) Viscount Hanworth (Professor Stephen Pollock) (Lab) Yasmin Qureshi MP (Lab) Peter Wishart MP (SNP)
Delegation Secretary:	Morna Richards, Team Leader, Asia-Pacific, CPA UK

Group A – Johor, Singapore	Group B – Sabah, Brunei
1. Ian Liddell-Grainger MP 2. Viscount Hanworth (Professor Stephen Pollock) 3. Peter Wishart MP	1. Rt Hon. John Denham MP 2. Rt Hon. the Lord Dholakia OBE DL 3. Yasmin Qureshi MP 4. Morna Richards (CPA UK)

2. VISIT SUMMARY

A cross-party delegation of Members visited Malaysia, Singapore and Brunei in November 2013 to undertake a wide-ranging programme of meetings and visits aimed at providing an insight into the political landscape and current issues in the South-East Asia region. The delegation first visited Kuala Lumpur and Selangor for a busy two day programme, before splitting into two smaller groups for the remainder of the visit to maximise exposure to the region in the given time. One group travelled on to Johor and Singapore, the other visited Sabah and Brunei.

This was a high-pressured and extremely busy CPA UK visit with six separate programmes in Kuala Lumpur, Selangor, Johor, Sabah, Singapore and Brunei. It was a visit which not only achieved its aim by enabling the UK parliamentary delegates to understand better the challenges faced by their colleagues in the legislatures visited, but in achieving its objectives it also gave UK Members a well-rounded insight into wider issues such as economics, trade and industry, ethnic and wealth inequalities, and judicial and immigration issues.

3. MALAYSIA

3.1 AIM AND OBJECTIVES

Aim: The aim of the visit was to enable Westminster parliamentarians to understand better the issues and challenges faced by their Malaysian colleagues

Objectives: A programme of visits, discussions, and briefings designed to:

1. Gain an insight into:

- 1.01 The new Parliament in Malaysia and meeting the challenge of the large turnover.
- 1.02 The relationship between the federal parliament and state assemblies.
- 1.03 The Malaysian electoral system.
- 1.04 The relationship between Parliament and civil society.
- 1.05 Holding Parliament to account - the role of and the relationship with the media.
- 1.06 Malaysian colleagues' views on the opportunities of the Commonwealth
- 1.07 Bicameralism and the relationship between the House of Representatives and the Senate.
- 1.08 Working relationships between political parties
- 1.09 The representation of women in politics.
- 1.10 Holding the Executive to account - the role of committees.
- 1.11 Holding parliamentarians to account - connecting with the electorate and ensuring accessibility and transparency between MPs and the public / constituents.

2. Gain a greater understanding of:

- 2.01 Malaysia's dual justice systems - Civil Courts and Syariah Courts.
- 2.02 Ethnic diversity, inequalities and affirmative action.
- 2.03 Internal security laws and safeguarding human rights.
- 2.04 Conservation issues and the impact of deforestation - balancing economic growth with environmental protection.

3. Learn more about:

- 3.01 Economics, trade and industry in Malaysia
- 3.02 UK-Malaysian bilateral relations and trade issues

4. Share experiences from Westminster:

- 4.01 The role of opposition parties and cross-party relations.
- 4.02 Political and constitutional reform.
- 4.03 Parliament's role in financial oversight.
- 4.04 The relationship between the PAC and the Supreme Audit Institution.

JOHOR

1. The nature of regional dynamics with particular emphasis on UK-Johor and Singapore-Johor trade and political relations
2. Medium and long term development strategies: The economic situation and an update on the transformation programme
3. Regional wealth distribution and the measures taken to curb the increase of cost of living (inflation rates)
4. The State Government's Initiatives and policies to increase the participation of women; people with disabilities and minority groups

SABAH

1. The political situation in Sabah following the election in May 2013
2. The parliamentary relationship between the State Legislature in Sabah and the Federal Parliament
3. Immigration issues in Sabah (*the Royal Commission of Inquiry on illegal immigrants*)
4. The impact of the exploitation of natural resources and measures taken to curb deforestation
5. Regional dynamics
6. Working relationships between political parties - exploring structure, strategy, policy and youth engagement
7. The representation of women in politics

3.2 MALAYSIA - DETAILS AND COMMENTS

The new Parliament in Malaysia and meeting the challenge of the large turnover

Malaysian politics is dominated by two coalitions. The ruling Barisan Nasional (BN) coalition is made up of 13 political parties, the largest being the United Malay National Organisation (UMNO). The opposition Pakatan Rakyat (PR) coalition comprises the Parti Keadilan Rakyat (PKR), the Democratic Action Party (DAP) and Parti Islam Se-Malaysia (PIS).

The delegation was able to gain a broad overview of the post-election political landscape in Malaysia through meetings with both government and opposition Members, briefings from senior parliamentary officials and from the British High Commission in Kuala Lumpur, and through more informal discussions with news editors, civil society representatives, and the Malaysian Bar Council. A team from the British High Commission, led by Acting High Commissioner Ray Kyles, briefed the delegation on arrival. Mr Kyles explained that there has been a large call for electoral reform following May's General Election where the opposition PR coalition won 53% of the vote, but due to inequalities in constituency sizes and the first-past-the-post system, did not win the majority of seats. The ruling BN coalition won 133 seats, PR won 89 seats.

The political landscape in Malaysia

Over the past two elections the system of cross community support for BN has been breaking down. Whilst big business support remains predominantly with BN, forty years of positive action to assist the Malay population has not significantly altered the relative economic position of the Malay population.

In the most recent election the success of the opposition reflected three factors:

- the rise of an urban, educated middle class electorate attracted to a more open political system and an end to positive action
- the decisive support of the Chinese community for this opposition
- the shift of a significant Islamic Party into the opposition

It is not clear which direction Malaysian politics will move in, and looking forward it is clear that there are real challenges for Malaysian politics. In one direction the political and electoral system may evolve to accommodate the new demands of urban voters; in the other, BN might seek to retain its political hold by moving more strongly to a communal Malay and Islamic politics and exercising the power and patronage which comes with office. The Opposition is fragmented, and will need to pick itself up from the recent Election defeat.

The relationship between the federal parliament and state assemblies

The relationship between the federal and state governments was explored in some depth, both in Kuala Lumpur and in the State Assemblies of Selangor, Johor and Sabah.

In a visit to Selangor, one of three Opposition-held States in Malaysia, Assembly members explained how the State government had eagerly adopted some of the practices of Westminster that have either fallen into abeyance at the federal level or have never been followed. In particular, the PR in Selangor has created a full complement of committees to scrutinise all aspects of the administration of the state. Unlike in the federal Parliament, the Selangor Public Accounts Committee is chaired by an Opposition member. The delegation was extremely impressed with the Assembly members they met in Selangor, particularly the young and ambitious Speaker from the Democratic Action Party, YB Hannah Yeoh Tseow Suan.

The delegation raised questions around the financing of the state administration and whether or not the Selangor government was liable to suffer at the hands of the federal administration on account of its opposition politics, and whether or not it would, in consequence, be denied some of its funding. The Chief Minister, Tan Sri Abdul Khalid Ibrahim, argued that certain projects which the local administration wishes to pursue are being delayed or rejected by the federal administration. The Chief Minister used the State's privatized water supply as an example, which the local administration would like to bring back into public

ownership. The Chief Minister asserted that they would have more chance of doing so if their politics were aligned with the BN.

The Malaysian electoral system

A meeting with members of the Electoral Commission in Putrajaya offered an insight into the Malaysian electoral system and the Commission's task of regulating and conducting elections in Malaysia. HE Datuk Dr Manogran gave the delegation an overview of the work of the Election Commission, electoral law, and the registration system. The voting age in Malaysia is 21, although there has been some recent discussion about lowering it to 18. Dr Manogran explained that there are various problems and inconsistencies with the electoral roll, including duplicate records of electors, non-existent addresses, and names of dead electors still being contained on the roll. In addition, approximately 20% of eligible voters are not currently registered on the electoral roll.

The commission is independent of the Government and its members are appointed by the King. In practice, the Commission falls under the purview of the Department of the Prime Minister, who advises on the appointment of the commissioners. There are currently no women on the Commission, but there are representatives from each of the main ethnic communities, as well as representatives from Sabah and Sarawak.

The disparity between the number of voters in urban and rural areas, and the possibility of boundary changes, was discussed. Rural constituencies have an average of 20,000 – 40,000 voters whereas urban constituencies commonly have 60,000 plus voters. The rural constituencies are already geographically large, so to increase them geographically to make the number of voters more comparable to the size of the urban constituencies would be very difficult. It is difficult to administer elections in the geographically-large rural areas. Despite these challenges, Dr Manogran explained that there has not been a big call for an increase in seats. Any changes in the number of seats must be approved by two thirds of parliament, and any boundary changes would require parliamentary approval via the Speaker and approval by the Prime Minister.

Dr Manogran stated that some political parties accuse the Commission of falling in line with the Government, but in his view to date no issues around the Commission's impartiality have arisen. That said, the delegation heard in subsequent meetings that the Chairman and the Deputy Chairman of the Commission are both members of BN. As such, they are unlikely to favour the kinds of electoral reforms, including changes to the boundaries of the constituencies, that might benefit the opposition parties or that might, at least, alleviate some of their electoral disadvantages.

The delegation heard very little from the Commission of the various disparities and anomalies that tend to disfavor the opposition parties, besides Dr Manogran mentioning that 67 petitions were filed following the last General Election. None of the petitions were upheld but 19 are pending appeal. He explained that the

courts have a final say on election disputes rather than the Commission. The delegation heard much about these disputes during a subsequent meeting with the Opposition members from the States of Sabah, Sarawak, and Johor. During this meeting, the Opposition argued that the system of advanced voting, which is a voting arrangement relating to the votes cast by the Army and the Police, had been used to influence the outcome of the 2013 election in favour of the BN. A fundamental objection to these special voting arrangements was that they enable the government to assign the military and the police votes to whichever districts they wish, with the aim of bolstering the BN votes in marginal constituencies. The Opposition members also argued that, in Sabah and Sarawak, large numbers of migrant labourers - typically of Indonesian and Bangladeshi origin - had been given identity cards that enabled them to cast votes. It was suggested that they had been given the cards on the condition, or on the assumption, that they would vote for the BN.

The relationship between Parliament, the media, and civil society

The delegation attended a working dinner with news editors, non-governmental organisations, and the Malaysian Bar Council, hosted by the British High Commission. The dinner was attended by representatives from The Malaysian Insider, The Edge Media Group, Sisters in Islam, the Malaysian AIDS Council, The Merdeka Centre for Opinion Research, The Institute for Democracy and Economic Affairs, and members of the Malaysian Bar Council. Representatives from the media spoke about the media constraints in Malaysia, with State newspapers either not covering stories featuring the Opposition, or printing excessively biased stories against their favour.

Malaysian colleagues' views on the opportunities of the Commonwealth

The visit took place in the week following the Commonwealth Heads of Government Meeting (CHOGM) in Sri Lanka. Many comments of support were made for the UK's stance at CHOGM, and particularly for the Prime Minister Cameron's efforts to raise human rights issues and engage with the Tamil community in Northern Sri Lanka. Malaysia is a great supporter of the Commonwealth and it is within Malaysia's interests to continue to strengthen its relationship with the Commonwealth as the Commonwealth's membership expands to include new members.

Bicameralism and the relationship between the House of Representatives and the Senate

Meetings with the Speaker of the House of Representatives, the President of the Senate, and the Clerks of both Houses provided an opportunity for the delegation to gain a better understanding of the history, constitutional framework, and relationship between the two Houses. Some discussion was held regarding the Upper Chambers in Malaysia and the UK, with comparisons being made between the UK's House of Lords which is fully appointed, and Malaysia's Senate (Dewan Negara) whose members are partly elected by the State Assemblies and partly appointed by the King.

Working relationships between political parties

Since independence, political power in Malaysia has been vested in a Malayan hegemony which has sought

to promote the interests of ethnic Malaysians who have been at an economic disadvantage relative to the Chinese. In the main, the Chinese have tolerated the discriminatory policies due to the benefits of the remarkable economic growth in which they have shared.

Although BN, and its predecessor the Alliance, have been in power since independence, the Opposition has made significant gains in the last two elections of 2008 and 2013. In a meeting with Opposition Whips, they argued that the BN has sought to redress its decline by appealing to the ethnic Malays, whom they assert will be disadvantaged if the opposition gain control. The BN wishes to recruit the Malaysian supporters of the PR so as to create a majority Malaysian party. It will be interesting to see whether, moving forward, Malaysian politics will divide along racial lines.

The representation of women in politics

There are currently 24 women MPs in the Federal Parliament, representing 11% of the total number of seats. The delegation met with the Women's Parliamentary Caucus, a cross-party group which aims to ensure that women-related issues are raised in Parliament. They do not divide along party lines, however, when pressed, the Caucus Chair, Datuk Seri Azalina Othman Said, explained that if pushed she would not be able to vote against her Party on a bill relating to women's issues.

The Malaysian Parliament has a Ministry for Women which formed in 2002. Previously women's interests were covered in the Department of the Prime Minister.

Holding the Executive to account - the role of committees

The delegation met with members of the Public Accounts Committee (PAC) within which the Chair, YB Datuk Nur Jazlan Mohamed, explained that the PAC is the only functioning committee within Parliament. The Committee currently has seven Government and five Opposition members serving on it. It examines the accounts of the Federation and reports of the Auditor-General. The Auditor General has a staff of 2,500. It has been criticised recently for focusing on trivial matters instead of larger issues concerning wastage. There is a separate agency which focuses on anti-corruption. YB Datuk Nur Jazlan Mohamed has an aspiration for further committees to be established in Parliament, but doubts that it will happen in the near future as Ministers would be reluctant to expose themselves to such scrutiny.

Ethnic diversity, inequalities and affirmative action

In a meeting with Vincent Wong Wai Sang, Political Secretary and Ho Kheng Hua, Deputy Director General for Planning at the Department of Unity and National Integration, the delegation discussed matters of racial disharmony including a religious issue that has arisen recently. Following a decree of the Sultan of Selangor, a Malaysian federal court ruled in October that the Catholic newspaper, the *Herald*, could not use the word "Allah" to refer to God. This overturned a ruling of 2009, which permitted the use of the word. The decision has exacerbated the religious tensions in the country. The ruling is particularly problematic, since the bible

that is used by the Christian communities in Sabah and Sarawak use the word “Allah” as a synonym for God. Recently, Prime Minister Najib Razak has asserted that the proscription does not extend to these states.

The Department of National Unity promotes unity in race, religion and culture. It was formed in 1969 following a racial riot incident. Since its formation, there has only been one further racial riot, in 2001. The department trains community leaders in mediation skills to dispel tensions within communities. One of the Department’s challenges is to bring the States closer together, and to promote dialogue between the Peninsula and Borneo states. Sabah and Sarawak have particular privileges. For example, if you are a lawyer from Sabah or Sarawak you can practice law throughout Malaysia, however if you are a lawyer from peninsula Malaysia you cannot practice in Sabah or Sarawak. These inequalities cause tensions.

Vincent Wong Wai Sang explained that Malaysia’s separate schooling system does not encourage racial unity as there are separate vernacular Chinese, Indian, and Malay schools. Public universities operate in Malay, private universities operate in English.

Internal security laws and safeguarding human rights

In a meeting with Hon. Minister Nancy Shukri, the Minister responsible for legal issues in each Government Department, the delegation raised the issue of Malaysia’s mandatory death sentence penalty for crimes of murder, drug trafficking, and some firearms offences. Although the number of executions carried out in Malaysia has declined significantly in recent years, no reform of capital punishment legislation has taken place. This is in contrast to Malaysia’s neighbour Singapore which amended its capital punishment laws in 2012 to give judges discretionary measures on certain capital punishment sentences.

Minister Shukri argued that the Malaysian public supports use of the mandatory death sentence which prevents the government reforming capital punishment laws. She explained that abolishing the death penalty in Malaysia would be very complicated given the country’s dual Court system, and if moves were to be made towards reform it would be a very slow process. The delegation took the opportunity to explain how the UK went about first suspending the death penalty, then abolishing it in 1969 following a series of high-profile miscarriages of justice. They encouraged Minister Shukri to take up the issue of abolishing the death penalty sentence with her Government, and offered to host the Minister in the UK to discuss capital punishment reform in further detail.

Observations from Sabah

Sabah's biggest political issue at the moment surrounds a dispute over whether illegal immigrants were given the right to vote before the 2013 elections to bolster the government's position. The accusation is that illegal immigrants from the Philippines, Bangladesh and Indonesia were given Identity Cards (IC) and were registered onto the electoral roll to help the BN coalition remain in power. The delegation called on the Assembly’s Speaker, Datuk Seri Panglima Haji Mohd Salleh bin Tun Haji Mohd Said, during which he gave

the view that although illegal immigration was an issue in Sabah in the 1960s and 1970s, it has long since ceased to be a problem and that the accusations are false. Following calls from the Opposition, Prime Minister Najib Razak has agreed to form a Royal Commission of Inquiry on illegal immigrants to look into the dispute.

The delegation also met with Chief Minister Datuk Seri Panglima Musa Haji Aman, who gave an overview of the composition and role of the Sabah State Legislative Assembly. At the last election the opposition won 10 seats out of a possible 60, a significant gain on the previous Assembly where they only held one seat. 3 out of the Assembly's 60 seats are held by women. The Assembly sits for approximately 2 weeks a year, within which it must debate the budget and a wide range of bills. The day the delegation visited the Assembly, forestry, rubber and finance bills were all debated and passed within a short period of time. The average debating time for each bill is 20 minutes.

The Chief Minister explained that there is a significant advantage to being a government Assembly member in that they are each given RM 1m to spend on projects in their areas. Although the money is not channelled through them directly, it gives government Assembly members rights to commission projects which opposition members do not have.

The Sabah government is currently leaning on the federal government to devolve more responsibility to it, knowing how valuable it is to the federal government's hold on power.

There is a growing wealth in Sabah stemming from an increase in eco-tourism. The Borneo rainforest is the oldest in the world, and rich in biodiversity. Large areas of the Sabah rainforest have been reserved for conservation - Sabah contains six national parks. During their visit, the delegation met with the Minister for Tourism, Culture and the Environment, YB Datuk Seri Panglima Masidi Manjun, who gave a presentation on the work of his Ministry to promote sustainable tourism development in Sabah. Sabah receives a particularly large number of tourists from China, with 3 million Chinese visitors passing through in the nine month period from January to October 2013 alone. Tourism is a huge growth area for Sabah, and along with its natural resource revenues, is helping to rebuild the State's economy following a decline of wealth and higher price of goods brought about by Malaysia's Cabotage policy in the 1980s and 1990s.

Sabah is also a large cultivator of palm oil. Although its production is vital to Sabah's economy, the State has received criticism for the effects that palm oil cultivation has had on the environment through deforestation, and also for the industry's use of cheap migrant labour. The Sabah administration is sensitive to criticism about palm oil production, and argues it has put in place policies which both protect the remaining rainforest and reduce the exploitation of migrant workers.

Observations from Johor

CPA UK

Westminster Hall London SW1A 0AA

T: +44 (0)20 7219 5373 F: +44 (0)20 7233 1202 E: cpa@parliament.uk W: www.parliament.uk/cpauk

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The delegation visited the project management office of the Kota Iskandar, the southernmost element of the Iskandar Malaysia Development project which is the location of the New Administrative Centre of the State of Johor. The development project aims to create a major regional commercial and logistic hub that will attract foreign investors. In travelling to Kota Iskandar by mini bus, the delegation passed EduCity Iskandar, which contains campuses of the Universities of Reading, Newcastle and Southampton, and which are soon to be joined by the campus of Raffles University. Also present on the campus is Marlborough College Malaysia. Malaysia already has an ample provision of state universities. However, these are affected by an injunction that all subjects are to be taught in the Malaysian language. This is irksome to the Malays as well as to the Indians and the Chinese; and it accounts for the large number of Malaysian students who pursue their higher education elsewhere, including in Britain. Therefore, there has been an opportunity for establishing private English-language universities in Malaysia.

The Johor State Legislative Assembly is dominated by the BN. Of the 56 seats, the BN holds 38 and the opposition PR holds 18. The delegation attended a detailed presentation by the Johor State Economic Planning Unit, which, doubtless, has originated in the campaign to attract foreign investment. It conveyed a strong impression of the remarkable economic development of the region. Johor seeks to establish a synergy with its neighbour Singapore. An indication of this was a map covering the southern tip of the Malay Peninsula and the island of Singapore, which displayed a ring road linking the two and crossing the narrow straits via the causeway and the bridge.

4 SINGAPORE

4.1 SINGAPORE - AIM AND OBJECTIVES

Aim: The aim of the visit was to enable Westminster parliamentarians to understand better the issues and challenges faced by their Singaporean colleagues

Objectives: A programme of visits, discussions, and briefings designed to:

1. Gain an insight into:

- 1.01 The current political situation in Singapore
- 1.02 The Singaporean electoral system – single member and group-representation constituencies
- 1.03 The relationship between Parliament and civil society
- 1.04 Holding Parliament to account - the role of and relationships with the media
- 1.05 Singaporean colleagues' views on the opportunities of the Commonwealth
- 1.06 Unicameralism
- 1.07 Working relationships between political parties - exploring structure, strategy, policy and youth engagement
- 1.08 The representation of women in politics
- 1.09 Holding parliamentarians to account - connecting with the electorate and ensuring

accessibility and transparency between MPs and the public / constituents

2. Gain a greater understanding of:

- 2.01 Singapore's Judicial System
- 2.02 Singapore's foreign policy and regional relations
- 2.03 Freedom of the press
- 2.04 Wealth inequality
- 2.05 Immigration

3. Learn more about:

- 3.01 Economics, trade, industry and foreign direct investment in Singapore
- 3.02 UK-Singaporean bilateral relations and trade issues

4.2 SINGAPORE - DETAILS AND COMMENTS

The political make-up and current political situation in Singapore

At a working supper the delegation met Dr Lam Pin Min MP of the People's Action Party (PAP) and Sylvia Lim of the Workers Party. Sylvia Lim is one of 6 directly elected MPs who represent the Worker's Party. There are also two non-constituency MPs who adhere to the Worker's Party. By common consent, the Worker's Party represents only a mild opposition, which does not aspire, in the short term, to replace the People's Action Party (PAP) in government.

The PAP is the party of Lee Quan Yew, who was Prime Minister for 31 years from 1959 to 1990. He was succeeded by Goh Chok Tong who held office from 1990 to 2004. The latter was widely regarded as a caretaker Prime Minister in preparation for the accession of Lee Quan Yew's son, Lee Hsien Loong, who is the current Prime Minister. Lee Quan Yew, who is 90 years of age, retired from the cabinet as recently as 2011, and he continues to act as an adviser to his son. As his influence diminishes, his son, Lee Hsien Loong, is becoming more amenable to compromise in his role as Prime Minister.

Whilst Singaporean politics continues to be dominated by the PAP there is a growing sense of a coming political generational shift and interest in where the next leadership of the country will come from.

Where the Workers Party is the largest opposition party it still seems to be in an early stage of development, and at best, its ambition seems to be more of becoming an effective opposition. Interest is therefore turning to the number of impressive younger MPs in the PAP and whether they will remain satisfied within the PAP structures or whether some possible realignment might become an option. Such is the dominance (and satisfaction) with the PAP that it is probably within its own confines that any significant change will emerge.

The Singaporean electoral system – single member and group-representation constituencies

CPA UK

Westminster Hall London SW1A 0AA

T: +44 (0)20 7219 5373 F: +44 (0)20 7233 1202 E: cpa@parliament.uk W: www.parliament.uk/cpauk

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The delegation met with Deputy Speaker Charles Chong who explained that, in common with the MPs of the Malaysian Federal Parliament, the Singaporean MPs are not called upon to spend much time in Parliament—two days per month being their normal expectation.

There are altogether 99 seats in the Singaporean Parliament. These are divided amongst 87 elected MPs, 3 non-constituency MPs and 9 nominated MPs. A non-constituency MP is a member of an opposition political party who has been granted a seat by virtue of having been one of the best performing losers. They are not allowed to vote on certain types of bills, including constitutional reforms and motions of no confidence in the Government.

Constituencies are classified as either single-member constituencies or group-representation constituencies. The latter, which comprise contiguous electoral wards, return between four and six MPs. In each such constituency, at least one candidate in a group contesting the election must be from a minority race—a Malay, an Indian or from another race. The party that wins the largest share of the vote wins all of the seats. In the 2011 general election, 12 MPs were returned by single-member constituencies. The remaining 75 elected MPs came from group constituencies. Although the PAP polled only 60.14% of the votes overall, it retained 81 out of 87 seats. This disproportion far exceeds that of the outcome of the Malaysian election in 2013, and it seems to justify the aspersion that the electoral system is designed to ensure that the incumbent PAP will remain in power.

Singapore's Judicial System

The Singaporeans are proud their judicial system, which has developed seamlessly from the colonial system. It retains many of the accoutrements of the British judicial system, both as regards the dress and deportment and the arrangements within the courts. Whether it has the degree of independence of the Executive Branch of government that is maintained by the British judiciary is open to doubt. Jury trials were abolished in 1969 and the Criminal Procedure Code was amended in 1992 to allow for trials of capital offences to be heard before a single judge.

Whereas Singapore's judicial system provides citizens with an efficient judicial process, the judiciary is largely compliant and the government often uses defamation suits or the threat of such actions to discourage public criticism and to intimidate the press. On the other hand, Singapore has a reputation for fairness and impartiality in commercial law; and this is an encouragement to locate in Singapore to firms seeking a base in South East Asia.

Singapore's foreign policy and regional relations

The Ministry of Foreign Affairs is housed in what was once a central building of the cantonment of the British Army in Singapore. The delegation met with the Sam Tan, Parliamentary Secretary for Foreign Affairs. The discussion focused on the role of China in South-East Asia. It was noted that China is

constructing an aircraft carrier, which will allow it to manifest a strong military presence in the region.

There appears to be a genuine concern over the effects of a resurgent China that wishes to vindicate its status as a world power, while continuing to suffer from a victim mentality, in consequence of its experiences at the hands of the Europeans colonial powers and of the Japanese during the Second World War. A contrary influence, which is bound to impinge upon the ethnic Chinese in Singapore, is an element of pride on account of the increasing strength of the Chinese nation.

Another crucial issue in Foreign Affairs that was barely touched on is the attitude of the Singaporean Government towards Malaysia and other nations in the region. Singapore maintains a large defence force, including a modern air force, which represents a strong deterrent aimed at unnamed adversaries. Singapore requires all male Singaporean citizens who have reached the age of 18, other than first-generation permanent residents, to enroll for national service. They serve a 22 or 24 month period as Full Time National Servicemen, either in the Singapore Armed Forces, the Singapore Police Force, or the Singapore Civil Defense Force.

Whereas the Malaysians - particularly those in the state of Johor - are keen to establish synergies with Singapore, it appeared that the Singaporeans are liable to regard them with suspicion and to give them a cold shoulder. Nevertheless, the Penang–Singapore High Speed Rail project, which was announced in 2010 and which would bind the two countries together, was given the go-ahead in February 2013. The link between Kuala Lumpur and Singapore is to be realised by 2020.

Freedom of the press

The delegation held a lively discussion Mr Hari Kumar and with Alex Yam, both of whom are MPs from the ruling PAP. They received the impression that, notwithstanding the fact that Singapore is virtually a one-party state, there is a reasonable freedom to express dissident political opinions.

Immigration and wealth inequality

Singapore appears to benefit from migrant labour in much the same way as do the Gulf States. The labourers come, *inter alia*, from India, Sri Lanka, Bangladesh, the Philippines, Malaysia and China, and they do not have the rights of citizenship. There is already discomfort amongst some Singaporeans at the degree of exploitation. There have been strikes by public sector transport workers, who comprise a large proportion of migrant Chinese labour. There has also been disquiet amongst Singaporeans at the prospect of further immigration. Many feel that additions to the population will stretch the resources of the island and that they will lead to uncomfortable congestion.

Despite the decline in their share of the popular vote, the members of the PAP remain assured of their seats.

Mr Hari Kumar attributed this decline in part to an anxiety over the issue of immigration. In a recent white

paper of the Ministry of National Development of January 2013, titled A Sustainable Population for a Dynamic Singapore, a scenario has been considered in which a further 1.2 million might be added to the existing population to bring it to a total of 6.9 million by 2030.

The issue here is the need to have a sufficient working population to sustain the economy in the face of the declining fertility and the increasing number of retired people. The concern over immigration is not a new one, and it may well have had an impact on the outcome of the general elections of 2011.

The delegation visited the Singapore Institute of International Affairs (SIIA). The institute is an independent think tank that has both individual and institutional members. It considers a wide variety of international and regional affairs and it publishes reports on a wide variety of topics. The delegation talked with Nicholas Fang, Executive Director of SIIA and a nominated Member of Parliament. The conversation touched on the matter of China's growing influence in the region and on its claim of territorial rights in the South China Sea. Mr Fang proposed that, at present, China was liable to limit its assertiveness, since it is largely preoccupied with internal affairs.

The matter of the planned expansion of Singapore's population was also raised. Here, Mr Fang asserted that the current controversies are attributable to biased press reports on the relevant white paper. He said that these had dwelt mainly on the uppermost of a number of projected population figures. The document in question, titled A Sustainable Population for a Dynamic Singapore, is available on the web, and it bears some examining. Questions concerning the likely status, the income levels and the political entitlements of the putative immigrants are all issues that need to be investigated. The diversity of the potential immigrants would make these matters difficult to assess.

Economics, trade, industry and foreign direct investment in Singapore

Singapore has experienced remarkable economic growth and social transformation since it became independent of Malaysia in 1965. To all appearances, the city resembles those of the oil-rich Middle Eastern states, such as Dubai or Qatar. The country aims to sustain itself not only on trade but also on financial services and on high-tech manufacturing.

The physical transformation of the city since the end of the colonial era has entailed huge construction projects, which must be ongoing. However, the delegation saw little of these and nothing of the menial labour that must be required to maintain the physical environment.

There are vast social and economic differences between the affluent high-earners and the labourers who support their life styles. Such differences are apparent in statistics that are readily available. The foremost of these is the Gini coefficient, which summarises the degree of income inequality in an index that ranges from zero (denoting complete equality) to one. Singapore has a Gini coefficient of 0.48 which is far in excess of

the typical European values and indicates that Singapore is one of the most unequal societies in South East Asia.

UK-Singaporean bilateral relations

The delegation visited the Singapore naval base at Sembawang, which provides facilities to the United Kingdom, Australia, New Zealand, Malaysia and Singapore under the Five Power Defence Arrangement signed in 1971. The base also provides refueling facilities for the ships of the US Navy. The British aircraft carrier HMS Illustrious, which was loading supplies on its way to the Philippines to help the survivors of Typhoon Haiyan, happened to be at the base during the time of the delegation's visit. The delegation was given an extensive tour of the ship by Captain Mike Utley.

The delegation also had the opportunity to visit and lay a wreath at the Kranji War Memorial, a cemetery for Allied soldiers who perished during the Battle of Singapore and the subsequent Japanese occupation of the island from 1942 to 1945 and in other parts of Southeast Asia during World War II. The cemetery contains circa 4,500 graves from this period.

5 BRUNEI

5.1 BRUNEI – AIM AND OBJECTIVES

Aim: The aim of the visit was to enable Westminster parliamentarians to understand better the issues and challenges faced by their colleagues in Brunei

Objectives: A programme of visits, discussions, and briefings designed to:

1. Gain an insight into:

- 1.01 The current political situation in Brunei
- 1.02 The role and remit of the Brunei Legislative Council
- 1.03 The role of the His Majesty the Sultan within the context of the Legislative Council
- 1.04 Increasing the representation and visibility of women in politics
- 1.05 Legislation and the rule of law; safeguarding human rights
- 1.06 Brunei colleagues' views on the opportunities of the Commonwealth

2. Gain a greater understanding of:

- 2.01 Brunei's Judicial System
- 2.02 Brunei's foreign policy and regional relations
- 2.03 Freedom of the press
- 2.04 Wealth inequality

- 2.05 Youth and employment issues
- 2.06 Human trafficking issues
- 2.07 Environmental conservation issues and the impact of deforestation

3. Learn more about:

- 3.01 Economics, trade, industry and foreign direct investment in Brunei
- 3.02 UK-Brunei bilateral relations and trade issues

5.2 BRUNEI – DETAIL AND COMMENTS

The role and remit of the Brunei Legislative Council

His Majesty the Sultan revived an appointed Legislative Council in 2004 following a long period of suspension. Appointed Legislative Council members are selected because of their success in previous careers. They include the former Police Commissioner, former Permanent Secretaries, and representatives from the four districts. Since its re-establishment, some constitutional amendments have been made to allow a small number of representatives from communities to be elected to the Council. There is provision in the Constitution for the Council to be increased to 45 members but the Sultan has not yet set a timeframe for enlarging the Council's membership.

The Legislative Council meets once a year, in March, to consider the budget. This year's session lasted for 16 days. Council Members are free to ask questions on any item on the budget paper, and Ministers are required to respond. Policy is discussed at a Cabinet level, which consists of the Sultan plus ten others who sit outside of the Council. Recent issues discussed in the Legislative Council include climate change, employment, and education. There is one legal political party in Brunei.

The role of the His Majesty the Sultan within the context of the Legislative Council

His Majesty The Sultan opens each parliamentary session but does not otherwise appear at the Legislative Council. He retains an absolute Monarchy through his philosophy the 'Malay Muslim Monarchy', which he has described as the combination of the Malay culture and customs, Islamic laws and values, and Brunei's Monarchy system.

Increasing the representation and visibility of women in politics

The delegation met with Datin Hj Salbiah Hj Sulaiman, one of only two women members in the Legislative Council and a former Permanent Secretary in the Prime Minister's Office. Datin Hj Salbiah Hj Sulaiman explained that although women are underrepresented in the Council, they make up over half the work force in the civil service. In 2009 Brunei appointed its first female Attorney General, Datin Paduka Hayati Salleh, who was formerly Brunei's first female High Court Judge.

Brunei's Judicial System

Brunei operates a dual legal system - a civil law system based on English Common Law, and Islamic Sharia law currently limited to Muslim family and property matters.

All common law cases are heard by a judge or a magistrate, who once appointed operates independently. There are no trials by jury. Brunei utilises retired Hong Kong judges to preside over some of their Courts. There is an aspiration to enhance the Bruneian judicial system so foreign judges are no longer required.

In October 2013 the Sultan announced the introduction of a new Sharia Law penal code, which will be implemented in phases from April 2014. The code, published in Brunei's Government Gazette, sets out a list of offences ranging from consumption of alcohol and theft, to murder and adultery. Punishment includes amputation of limbs for theft and death by stoning for crimes of adultery. It is not yet clear whether the new penal code will apply to non Muslims as well as Muslims.

In a meeting with the Speaker of the Legislative Council, Pehin Isa, the delegation raised the issue of the introduction of a new Sharia penal code. Pehin Isa explained that a very high level of proof will be required under the new penal code for a conviction to take place. For example, at least four witnesses to adultery would be required for a person to be sentenced to death by stoning. He also advised that under the new system people will receive less painful whippings than under the civil law system as there are much tighter restrictions on the method by which whipping takes place under Sharia Law. He asserted that the perception of Islamic Law has been coloured by events in Pakistan, Saudi Arabia and other countries where punishments such as public whippings and executions have reached the British press. He sought to reassure the delegation that the introduction of Criminal Sharia Law will not bring great changes to Brunei's Judicial System.

It is not yet clear how Sharia Law will be implemented, but Pehin Isa advised that Muslim Clerics would take the lead in consultation with His Majesty The Sultan and the Attorney General.

Environmental conservation issues and the impact of deforestation

The delegation visited the district of Temburong which is separated from the rest of Brunei by Malaysia and Brunei Bay. During discussions with the Temburong District Officer the delegation heard how deforestation has largely decreased in the District as concerted efforts have been made in recent years to preserve the rainforest and promote eco-tourism. The main occupations in the District are public sector administration jobs, fishing, stone quarrying, and forestry. Highly skilled workers tend to leave Temburong to seek work in Bandar Seri Begawan and elsewhere. In 2006 the Ministry of Home Affairs initiated a project termed 'one village one product' to encourage villages in the District to increase their socio-economic status through specialising in and selling one product.

Economics, trade, industry and foreign direct investment in Brunei

Oil and gas account for nearly all of Brunei's exports and currently sustain Brunei's wealth. Efforts are being made to diversify the economy, such as through the push to promote eco tourism. The delegation visited Brunei's 'iCentre' which aims to promote local entrepreneurial development and excellence through mentoring and networking programmes. Dr Mona Kassim, Manager of Strategic Partnerships at the iCentre, gave the delegation a tour of the centre's facilities and described the breadth of services available to young entrepreneurs, including workshops on how to write business plans, lectures by international entrepreneurs, and advice on establishing start-up businesses. Dr Kassim explained that although two thirds of Bruneians currently work for the government, the Sultan is encouraging people to move out of the public sector into more entrepreneurial activities. During their tour of the centre, the delegation met with a number of young entrepreneurs including Hero Tien who has founded a number of online businesses including Brunei's first online supermarket and a website based on the Groupon model which offers consumers attractive deals on a range of leisure products. The delegation also had the opportunity to observe Caroline Plumb, one of UKTI's Business Ambassadors, conduct a workshop on networking at the centre. Caroline is CEO of Freshminds Group, a consultancy specialising in recruitment and market research. As a UKTI Business Ambassador, Caroline undertakes overseas visits to promote the UK's excellence internationally, highlight bilateral trade and investment opportunities, and shares her business knowledge and experience with aspiring entrepreneurs.

UK-Brunei bilateral relations and trade issues

The delegation travelled to the British Military Garrison at Saria for a briefing from British Forces Brunei. The Garrison currently hosts over 750 military personnel and 800 dependants. The Garrison's mission is to contribute to the deterrence of external threats to Brunei. It aims to further HM Government's aims in South East Asia, maintain and deepen UK-Brunei relations, inform the British Army's development of tropical environment proficiency and conduct multinational engagement with FPDA, ASEAN and NATO. In the last four years the Garrison has deployed its battalion twice to Afghanistan.

Following the briefing the delegation visited Hornbill School, a primary school which operates to support the families of serving British military and civilian UK MOD personnel based in British Forces Brunei (BFB) Garrison. The school provides for both British and Nepali children, a very high percentage of whom do not speak English as a first language. The majority of Nepali pupils come to the school directly from Nepal, having no previous exposure to English language or the English school curriculum. The school follows the English National Curriculum and the principal teaching is delivered in English, with variations for Nepali children to meet their own national requirements and preserve familiarity with their first language and culture. Despite experiencing exceptional levels of pupil mobility, the school maintains a higher than average academic performance and was graded outstanding following their most recent Ofsted review. The school maintains strong links with the Brunei Ministry of Education and the British High Commission. The delegation was met by Head teacher Kathy Wood MBE and received a traditional Nepali welcome from

pupils before undertaking a tour of the school grounds.

6 PROGRAMME

Monday 18 November – Kuala Lumpur
Breakfast briefing with Acting British High Commissioner Ray Kyles
Briefing by members of the Election Commission
Meeting with Opposition Whips (KIV)
Working lunch hosted by HE Senator Tan Sri Abu Zahar Ujang, President of the Senate, Malaysia
Meeting with Public Accounts Committee Members
Meeting with Hon. Minister Nancy Shukri, Minister in the Prime Minister's Department
Meeting with Hon. Tan Sri Joseph Kurup, Minister in Charge of National Unity
Dinner with news editors, NGOs and Malaysian Bar Council
Tuesday 19 November – Kuala Lumpur and Selangor
Meeting with Opposition MPs from Johor, Sabah and Sarawak at the Opposition Leader's Office
Meeting with Barisan Nasional Backbenchers Club (BNBBC) Members
Working luncheon hosted by HE Tan Sri Pandikar Amin Mulia MP, Speaker of the House of Representatives
Observe the House of Representatives in Session
Meeting with the Chair and Members of the Women's Caucus
Meeting with the Chief Minister of Selangor, Tan Sri Abdul Khalid Ibrahim
Dinner hosted by the Speaker of the Selangor State Legislative Assembly, YB Hannah Yeoh Tseow Suan

Delegation Group A

Wednesday 20 November - Johor
Opening remarks by Speaker of Johor State Assembly, Datuk Haji Mohamad bin Haji Aziz
Briefing by Johor State Economic Planning Unit
Briefing and Q&A with members of the Johor State Assembly
Short tour to Johor State Legislative Assembly Building
Welcome dinner hosted by Dr Lam Pin Min MP (CPA Southeast Asia Representative) and Singapore-Europe Parliamentary Regional Group MPs
Thursday 21 November - Singapore
Meeting with the British High Commissioner to Singapore, HE Antony Phillipson
Courtesy call on the Deputy Speaker, Mr Charles Chong MP
Tour of Parliament House with a briefing by the Deputy Clerk of Parliament, Mr Siow Peng Han, on the political and parliamentary system in Singapore

Dialogue with Singaporean MPs hosted by Chair of the Government Parliamentary Committee (GPC) for Law and Home Affairs, Mr Hri Kumar MP.
Lunch hosted by the British High Commission with members of the British community in Singapore
Visit to the Supreme Court
Courtesy Call on Senior Parliamentary Secretary (MFA) Mr Sam Tan
Dinner hosted by the Deputy Speaker and Chair of the Government Parliamentary Committee for Social and Family Development, Mr Seah Kian Peng MP
Friday 22 November - Singapore
Visit to the Singapore Institute of International Affairs (SIIA)
Visit to Kranji Memorial Park, including the laying of a Wreath
Lunch provided by the Singapore Parliament Secretariat

Delegation Group B

Wednesday 20 November - Sabah
Courtesy call on the Speaker, Datuk Seri Panglima Haji Mohd Salleh bin Tun Haji Mohd Said
Formal introduction/acknowledgement in the State Legislative Assembly Chamber
Courtesy call on the Chief Minister, Datuk Seri Panglima Musa Haji Aman
Lunch at the Legislative Assembly
Roundtable meeting with Members of the State Legislative Assembly
Working dinner with members of the Sabah State Legislative Assembly
Thursday 21 November - Brunei
Briefing by the British High Commissioner, HE David Campbell
Courtesy Call on Pehin (Lord) Isa, Speaker
Lunch with members of the Legislative Council
Meeting at the iCentre with young entrepreneurs taking part in a mentoring session with UKTI Business Ambassador Caroline Plumb
Dinner hosted by the British High Commissioner, HE David Campbell Invited guests will include Business, Civil Society, Education, Chevening and other Leaders
Friday 22 November - Brunei
Welcome at the British Ghurkha Garrison including a Guard of Honour
British Ghurkha Garrison and Training Team Brunei briefings
Tour of the Estate
Visit to Hornbill School
Lunch at the Officers Mess
Dinner hosted by the High Commissioner with young leaders working on social and environmental issues

Saturday 23 November - Brunei

Visit to Temburong District to observe grass roots democracy in action

Details: meetings with District Officials to look at how the head village and *Penghulu* system work, visit to a tradition Long House, spend time at the Centre For British Teachers (CfBT) office in Bangar and visit a local primary school.

Transfer to minibus for a visit to Sumbling Eco Village

Brief stop at Ulu Ulu Lodge

7 FOLLOW-UP ACTIVITIES

Issues discussed during the course of this visit will be raised by the delegation back in London with the High Commissioners for Brunei, Malaysia and Singapore, the Foreign and Commonwealth Office, the Commonwealth All Party Parliamentary Group, and the Commonwealth Secretariat. They will also be raised by Rt Hon. Sir Alan Haselhurst MP, Chairperson of the CPA UK and CPA International Executive Committees, when he attends the Conference of Speakers and Presiding Officers of the Commonwealth (CSPOC) in New Zealand in January 2014.

Following the delegation's visit to Malaysia, a reciprocal visit of members from the Malaysia Public Accounts Committee (PAC), led by Chair YB Datuk Nur Jazlan Mohamed, visited Westminster in December 2013 for a programme designed to familiarise themselves with the practices and procedures of the UK PAC, and the wider UK Select Committee System. During the course of their visit, the delegation had the opportunity to view the UK PAC in session, meet with the UK PAC Chair and the Comptroller and Auditor General, and engage in discussions on issues relevant to Malaysia such as curbing corruption and fraud, tracking performance and measuring committee effectiveness, and achieving impacts and following up on recommendations. CPA UK stands ready to work in partnership with the Malaysian Parliament on further committee programmes.

8 ACKNOWLEDGEMENTS

CPA UK would like to acknowledge the warm welcome the delegation received in Brunei, Malaysia and Singapore and thanks the Parliaments of Malaysia and Singapore, the Legislative Council of Brunei, and the State Assemblies of Selangor, Sabah and Johor for hosting the delegation.

CPA UK is most grateful to the Foreign and Commonwealth Office for providing written briefings prior to departure and to the British High Commissions in Kuala Lumpur, Bandar Seri Begawan, and Singapore for their assistance in-country.