



## **Report**

# **Visit of the Honourable George J. Furey, Q.C., Speaker of the Senate, and a Parliamentary Delegation, Malaysia**

**March 10 to 13, 2019**

The Honourable George J. Furey, Q.C., Speaker of the Senate, led a parliamentary delegation on an official visit to Malaysia from March 10 to 13, 2019.

The delegation has the honour of tabling its

## **Report**

The official delegation comprised the following members:

- The Honourable George J. Furey, Q.C., Speaker of the Senate;
- The Honourable Larry W. Smith, Senator;
- The Honourable Marty Deacon, Senator;
- Mr. Stuart Barnable, Chief of Staff to the Speaker; and
- Ms. Evelyne Côté, Secretary to the delegation.

### **Background**

Malaysia is a federal state made up of thirteen states and three federal territories with over 32 million inhabitants. Under the country's unique system of elective constitutional monarchy, the King, commonly known as the Yang di-Pertuan Agong, is elected on a rotational basis among the nine hereditary sultans for a five-year term and holds mainly a ceremonial role. The new King of Malaysia, Yang di-Pertuan Agong Abdullah, was elected on January 24, 2019, and became the 16th Agong, following the abdication of former King Mohammad V on January 6, 2019.

The Prime Minister is the head of government. He is named by the King and appoints his cabinet from members of the lower house, with the consent of the King. The last general elections took place in May 2018, and for the first time since the country's independence, Malaysia elected an opposition party, Pakatan Harapan (PH). PH is the result of an alliance of four parties: the People's Justice Party, the Democratic Action Party, the National Trust Party, and the Malaysian United Indigenous Party. The alliance was brought together with the common goal of defeating the incumbent government.

As a compromise, the PH alliance chose Tun Dr. Mahatir Mohamad, Malaysia's former Prime Minister and current leader of the Malaysian United Indigenous Party, as their candidate for Prime Minister. A foundational understanding was that in the coming years, there would be a transition of power to then-jailed leader of the People's Justice Party, Anwar Ibrahim. Also, as part of the coalition agreement, Mr. Anwar's wife, Wan Azizah Wan Ismail, was named Deputy Prime Minister. Mr. Anwar had formerly worked with Mr. Mahathir in the 1990s, serving as his Deputy Prime Minister and Finance Minister. He was dismissed from the party in 1998 following a clash with then PM Mahathir. In what was widely regarded as politically motivated charges, Anwar was jailed twice.

After the PH's electoral victory, Mr. Anwar secured a royal pardon and was released from prison in May 2018. In October 2018, Mr. Anwar won a by-election in Port Dickson which allowed him to return to Parliament. He is expected to eventually succeed PM Mahathir through negotiations and shifts in political alliances.

Malaysia has a bicameral legislature consisting of an upper house, the *Dewan Negara*, and a lower house, the *Dewan Rakyat*. The lower house has 223 directly elected members. The upper house counts 70 members, 26 indirectly elected by the country's state legislative assemblies, four appointed by the Agong from the three federal territories (two from Kuala Lumpur, one each from Putrajaya and Labuan) and the remaining 40 also appointed by the King, regardless of their state of origin. Malaysia's Parliament is currently undertaking a Senate reform initiative through the Malaysian Senate Reform Working Committee, chaired by Senator Yusmadi Yusoff. A bipartisan working committee was given a two-month timeframe to submit recommendations to the Parliamentary Select Committee on Reform and Governance. The recommendations are expected to address the role of the Senate as well as its independence, along with the terms and appointment system of senators.

### **Objectives**

The purpose of the visit was to offer insight into the Canadian experience on Senate reform; contribute to good public governance through sharing of information and exchange of best practices; strengthen bilateral ties between the two countries; and promote democratic values and Canadian interests.

The visit also provided an occasion to discuss issues related to educational cooperation and opportunities between the two countries, as well as encourage ongoing parliamentary dialogue by further promoting parliamentary exchanges and the importance of friendship groups.

### **Meetings**

During its visit to Kuala Lumpur, Malaysia, the delegation met with the following officials:

- His Excellency Tan Sri Dato' Seri SA Vigneswaran, President of the Senate;
- His Excellency Dato' Mohamad Ariff bin Md Yusof, Speaker of the House of Representatives;
- The Honourable Datuk Liew Vui Keong, Minister in the Prime Minister's Department;
- The Honourable Dr. Mazslee Malik, Minister of Education; and
- The Honourable Dato' Seri Anwar Ibrahim, M.P.

### **Meeting with His Excellency Tan Sri Dato' Seri SA Vigneswaran, President of the Senate**

President Vigneswaran welcomed Speaker Furey and the Canadian delegation and expressed thanks for their much-appreciated visit to Malaysia.

President Vigneswaran explained that the *Parliamentary Services Act* was suspended in 1992 and since then, Parliament has been governed by the executive branch. He added that Parliament is now looking at restoring the Act, allowing both houses to resume their operational autonomy.

He went on to explain that Malaysia is also looking at reforming the Senate by restoring its integrity and making it a more independent body. To do so, it is seeking international

expertise from Canada and other countries with similar parliamentary systems. Malaysia is particularly interested in finding out more about the Senate reform that took place in Canada in 2015–16. He added that with the new government in place, there is now an opportunity for Malaysia to design the ideal Senate.

Discussions centred on the challenges of reforming such an institution and the factors that must be considered in order to achieve successful and lasting reform such as elections or appointments of members of senators, length of appointments and qualification of candidates. Currently, to be appointed to the Senate in Malaysia, one must have rendered distinguished public service or achieved distinction in their profession, be a representative of ethnic minorities, or capable of representing the interest of indigenous people. At this time, a senator can only serve for a maximum of six years (two terms of three years each).

The conversation then turned to the mandate and membership of the Senate Reform Committee, and the first round-table session on Senate reform that took place on January 10, 2019, in Kuala Lumpur. The purpose of that event was to establish benchmarks and elaborate an action plan for the committee.

The second round-table, scheduled for March 12, 2019, and featuring a keynote address by Speaker Furey, was also discussed. This event will be attended by senators and state speakers, and represents an opportunity to hear from other countries, and to prepare draft recommendations for presentation to the Senate. Senator Yusmadi explained that the recommendations must be supported by at least 60 of the 70 senators prior to being adopted by the Parliamentary Select Committee on Reform and Governance.

Speaker Furey conveyed his thoughts on the value of interparliamentary diplomacy and encouraged the creation of a Malaysia—Canada friendship group.

### **Meeting with His Excellency Dato' Mohamad Ariff bin Md Yusof, Speaker of the House of Representatives**

Speaker Furey thanked Speaker Ariff for his warm welcome, adding that the Canadian delegation was grateful to have had the privilege of witnessing the Opening Ceremony of the Second Session of the Fourteenth Parliament and the first Royal Address of Agong Abdullah.

The discussion turned to the change of government in Malaysia the previous year and the reform agenda on which the Malaysian parliament is embarking to restore its integrity and bring the institution in line with international norms by meeting the standards of the Commonwealth Parliamentary Association. Speaker Ariff added that to restore Parliament's autonomy, the *Parliamentary Services Act* must be reinstated. They briefly spoke about the importance of updating the Malaysian Parliament's guide to parliamentary practice and procedure, since the last edition was published in 1969.

Speaker Ariff explained the need to set up a proper parliamentary committee system where committees would be responsible for examining bills and undertaking studies, set up a daily order of business that allows for a more functional question period and defines debate time limits, as well as find ways to better engage with the Malaysian civil society.

They briefly discussed much-needed electoral reform and how now is an ideal time to broach this topic as the population is looking for ways to engage be politically engaged.

At the end of the meeting, all parties agreed on the importance of parliamentary friendship groups and how they are beneficial to both countries.

### **Meeting with the Honourable Datuk Liew Vui Keong, Minister in the Prime Minister's Department**

Speaker Furey thanked Minister Liew for meeting with the Canadian delegation. He informed his host that he was pleased to have the opportunity to visit Malaysia to better understand its current situation and challenges.

As Minister in the Prime Minister's Department who oversees law, Minister Liew provided the delegation with an overview of some of the government's priorities. The PH government is looking to restore the status of the Sarawak and Sabah to territory within the federation of Malaysia, in accordance with the Malaysia Agreement. The 1963 agreement stated that Sabah and Sarawak, along with Malaya and Singapore, would unite to form the country of Malaysia, on the basis that they would be both treated as territories, and not two of the thirteen states. He also explained that another of their priorities was to lower the minimum voting age from 21 to 18. Such changes would involve constitutional amendments, which require a two-thirds majority both in the House of Representatives (currently dominated by the ruling coalition) and in the Senate (currently dominated by the opposition). Nevertheless, he explained that he feels that now might be the right time since Malaysia is going through fundamental changes which could provide an opportunity to bring constructive and positive modifications to the constitution.

Some of his other priorities include decriminalizing drugs, abolishing the death sentence, reforming the prison system and establishing a parliamentary justice committee, since Malaysia is one of the only Commonwealth countries that does not have one.

### **Meeting with The Honourable Dr. Mazslee Malik, Minister of Education**

Speaker Furey began the meeting by thanking the Minister of Education for meeting with the Canadian delegation, and asked for a brief overview of his ambitious reform program. Minister Maszlee informed the Speaker that some of priorities are to:

- extend mandatory schooling beyond twelve years of age;
- enhance quality of education by producing better and motivated teachers, and improve infrastructure;
- alter perceptions to bring technical and vocational training to the mainstream rather than being seen as a "second choice"; and
- make public schools the preferred choice of students and parents.

All agreed that it is essential to motivate students and that today, different and unconventional ways must be used, such as social media, engaging with parents and civil society, involving athletes who could potentially inspire kids, and engaging the community.

Speaker Furey and Minister Maszlee agreed that it would be beneficial to all if cooperation on education between the two countries increased. The Asia-Pacific Association for International Education (APAIE) conference was discussed. The 2019 edition of the conference was held in Kuala Lumpur and the 2020 edition will be held in Vancouver. All are hoping that conferences such as these will offer opportunities for both countries to showcase their respective institutions and could potentially lead to further partnerships.

Lastly, they discussed the Canada-ASEAN Scholarships and Educational Exchanges for Development (SEED) Program through which Canada will provide \$10 million over five years for post-secondary students and mid-career professionals to access education in Canada. In 2018, there were 15 SEED recipients from Malaysia.

### **Meeting with the Honourable Dato' Seri Anwar Ibrahim, M.P.**

Mr. Anwar welcomed the Canadian delegation and took the opportunity to thank Canada for the warm welcome he received during his visit in February 2019. They discussed the role and importance of the Parliamentary Select Committee on Reform and Governance in Malaysia, which he chairs, as well as the need for a Senate reform.

As Mr. Anwar is expected to become Prime Minister in the coming years, he listed some of his priorities for when that transition happens:

- Achieve a balanced approach to human rights, democracy and governance;
- Ensure Malaysia's peaceful democratic transformation is successful by strengthening democratic institutions, promoting parliamentary reform and judicial autonomy, battling corruption, and protecting media freedom; and
- Focus on trade and investment by being more aggressive in evolving to a market economy.

Discussions turned to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), the free trade agreement between Canada and ten countries in the Asia-Pacific region, including Malaysia. Mr. Anwar explained that some of the biggest concerns for Malaysia include litigation, as well as the pharmaceutical and agricultural sectors. He added that Malaysia is cautious when it comes to big countries dictating terms of trade agreements, but as a former Finance Minister he cannot turn his back to Malaysia's commitment to free trade hence CPTPP should proceed.

### **Other activities**

During their visit to Malaysia, the delegates had the privilege of witnessing the Opening Ceremony of the Second Session of the Fourteenth Parliament which was a historic event as it was the first Royal Address by the new Malaysian King, Agong Abdullah.

The Canadian delegation participated in the Second Roundtable Session on Malaysian Senate reform in Port Dickson, which was attended by Speakers of State Legislative Assemblies, senators and members of the media and civil society. Speaker Furey delivered the keynote address and offered insight on the Canadian experience. Following the address, all Canadian delegates were invited to participate in a question and answer session. The round-table also offered the delegates the opportunity to meet and converse with federal and state parliamentarians.

The delegation had the chance to learn more about the recent transformation of the Malaysian political landscape during a briefing session offered by the Canadian High Commissioner and senior officials. This also gave the Canadian delegates an overview of the bilateral relations between the two countries, the status of the CPTPP in Malaysia and the many reforms the country is undertaking.

### **Acknowledgements**

The members of the Canadian delegation would like to extend their thanks to Ms. Julia G. Bentley, Canada's High Commissioner to Malaysia and to all the Embassy staff for providing them with assistance before and during the visit and meetings.

The delegation would also like to thank Global Affairs Canada and the Library of Parliament for the documents they provided in preparation for this visit.

Respectfully submitted,

The Honourable George J. Furey, Q.C.  
Speaker of the Senate

## **Travel Costs**

Visit of the Honourable George J. Furey, Q.C., Speaker of the Senate, and a  
Parliamentary Delegation, Malaysia, March 10 - 13, 2019.

<b>TRAVEL</b>	<b>\$ 40,759.89</b>
<b>ACCOMMODATION</b>	<b>\$ 6,951.68</b>
<b>PER DIEMS</b>	<b>\$ 2,305.20</b>
<b>PROTOCOL</b>	<b>\$ 731.85</b>
<b>MISCELLANEOUS</b>	<b>\$ 251.49</b>
<b>TOTAL</b>	<b>\$ 51,000.11</b>