**Project Title**: Support on Parliamentary Reforms in Malaysia

**Implementing Partner:** UNDP Malaysia (DIM)

**Start Date:** Mid-May 2019 **End Date:** Mid-May 2020

**Background and Development Challenge**

Malaysia is a federal constitutional monarchy and parliamentary democracy. The federal lower house of Parliament and State Legislative Assemblies are elected directly through single member constituencies using the first-past-the-post electoral system. The Government is headed by the Prime Minister, who must be a member of the Dewan Rakyat (House of Representatives) and who, in the opinion of the King, commands the support of a majority of members. The Barisan Nasional (National Front) and its predecessor Parti Perikatan (Alliance Party) formed the ruling coalition from 1957 to 2018.

The 14th General Elections on 9 May 2018 (GE-14) resulted in a new ruling coalition Pakatan Harapan (Alliance of Hope or PH) in government. PH ran on a platform of comprehensive governance reform. In their manifesto, 21 of 60 commitments are related to good governance. One key aspect of this reform agenda is parliamentary reform that the government wants to undertake within the next few years. The bicameral Parliament, based on the Westminster system, consists of the Dewan Rakyat (House of Representatives) and the Dewan Negara (Senate). Under the Constitution, Parliament has the role of enforcing responsibility, accountability and answerability in the executive. However, under the former administration, Parliament has been considerably weakened over the years, with many questioning its independence and legitimacy to the point of being considered a “rubber stamp” approving the executive’s decisions. For example, Parliament lacked adequate powers and independence to manage its own administrative and financial affairs (being staffed by members of the public service under the executive branch of the government) thereby limiting its ability in exercising oversight and supervision of the executive. The lack of parliamentary committees to review pre-legislation proposals and bills resulted in legislation being approved by both Houses with minimal scrutiny or amendments. This undermining of Parliament restricts its ability to hold the government accountable to citizens and curb the abuse of power and corruption, which negatively impacts the state of democracy and development in the country. In addition, the lack of accessibility and engagement of Parliament with citizens, civil society and media resulted in a low level of transparency and public scrutiny.

In recognition of this, key pledges in the PH government’s manifesto include restoring the dignity of the Parliament, institutionalizing the Select Committee system in the House of Representatives and the Senate, complete with suitable provisions and support staff to enable them to function effectively, and engaging the people and all stakeholders in the policy-making process through establishment of informal groups in Parliament such as Caucuses and All Party Parliamentary Groups. The reforms aim to address the core development challenge, which is the need to strengthen the institutional capacity of Parliament and its core functions of oversight, representative and law-making in order to foster more inclusive, transparent and accountable public decision-making processes.

Since the start of his tenure in July 2018, the Speaker of Parliament has shown a strong commitment to parliamentary reform and various initiatives have been implemented that have brought positive change to Parliament. To institutionalise the work of committees in the Parliament system, reforms that have been implemented thus far include improving the Public Accounts Committee (PAC), the setting up six new select committees (comprising the Special Select Committee for Consideration of Bills, Special Select Committee on Budget, Special Select Committee on Defence and Home Affairs, Special Select Committee on Rights and Gender Equality, Special Select Committee on States and Federal Relations and Special Select Committee on Major Public Appointments), and the setting up of the Caucus on Reform and Governance to strengthen the function of the parliamentary institution. Plans are underway to establish more Select Committees in 2019, with the aim of ensuring that all ministries be governed under one regulatory system.

GE-14 resulted in a historic number of newly elected Members of Parliament (MPs). Ninety of the 222 lawmakers are first-time MPs – the highest number since Parliament first convened in 1959, including a college student, the Lower House's youngest MP. A record 32 women were elected, up from 23 in the last term, making up 14.41% of the House’s composition of MPs. Given the high turnover of MPs since the last parliament, and the high proportion of new, young and largely inexperienced MPs, there is particular awareness about the need to develop the capacities of members on core parliamentary work related to law-making, oversight and representation. New MPs will not only be less familiar with their new roles and responsibilities, they will also have less access to institutional knowledge compared to long-serving members. There is also the constant need to build and update the knowledge of staff of the secretariat, committees and parliamentary departments.

As part of outreach efforts to create a greater public awareness of Parliament as a central institution in government and in tandem with current technology, the Parliament also launched a mobile application, MY Parl, allowing the public to access information via smartphone on Parliament, such as the meeting order, Hansard and programmes. In addition, Parliament launched the Speaker’s Lecture Series in December 2018, an outreach initiative aimed at inculcating a parliamentary democracy culture among Malaysians by providing a platform which encourages the understanding of and engagement with the work of Parliament and its Parliamentarians. This is in line with the Speaker’s view that Parliament should be regarded not just as the place for legislative or policy debate, but should also be ‘people-friendly’ place where the public can be involved in making proposals.

As the country approaches one year since GE-14, the process for parliamentary reform continues and with the start of a new parliamentary term, further strengthening is needed to ensure momentum is sustained and initial gains are not lost. In view of UNDP’s global expertise and experience in parliamentary strengthening and development programmes, various discussions took place between UNDP and the Parliament of Malaysia between August 2018 and [January/February 2019] to identify areas of immediate need where UNDP could offer support and assistance. Based on these discussions and a meeting between the UNDP Governance and Institutional Reform Specialist and the Parliament in January 2019, a concept note was prepared outlining several areas of collaboration, which was approved by Parliament on [ ]. This project document sets out a parliamentary support project in line with these agreed areas of collaboration to address Malaysia’s needs and demands.

**Strategy and Results**

The overall objective for this project is described in the 11th Malaysia Plan (reviewed and realigned in 2018) Pillar 1: Reforming governance towards greater transparency and enhancing efficiency of public service, Priority Area A: Improving governance at all levels, Strategy A1: Strengthening check and balance mechanism. It is also reflected in the UNDP strategic plan 2018-2021 as per Outcome 2 (indicator 2.2.2: constitution-making, electoral and parliamentary processes and institutions strengthened to promote inclusion, transparency and accountability). In addition, it is reflected in the Malaysia CPAP 2016-2020, Priority 1: Inclusive Development and Growth, where in order to enable decentralized growth and optimize the required economic density for inclusive and sustainable growth, reforms of federal and state agencies’ institutional mechanisms for service delivery are necessary, including strengthening and empowering decentralized governance structures.

**Output 1: Strengthening the structure and workings of the Parliament.**

**Activity 1: Support the strengthening of the Parliamentary committees.**

The setting up of six new standing committees in the Parliament is a crucial step towards parliamentary reform. The key to parliament’s institutional efficacy lies in a strong committee system. The creation of standing committees will enable more MPs to consider state issues, engage with various ministries, and develop policies in order to ensure the continuity of governance.

Given that these are new structures within the Malaysian parliament, comprehensive training modules will be developed and conducted for the Chairperson and member MPs within these committees to enhance individual and institutional capacity and ensure effective functioning of the various committees in carrying out their oversight role. The project will also provide support in developing committee secretariats and terms of reference/standard operating procedures for the functioning and sustainability of the committees, supporting research and committee management skill development, assisting in the establishment of committee hearings, public forums, assessment missions or research trips.

**Activity 2: Develop a Code of Conduct for MPs and revise rules and regulations relating to Parliamentary proceedings.**

The legal frameworks and policies of Parliament have a significant impact in shaping the institution’s role in legislative and governance processes. Given the previous perception of the Parliament as a “rubber stamp” institution and the erosion of public confidence in the institution, the project will support the clear goal of the reform agenda to restore the dignity of Parliament as an institution of integrity by developing a Code of Conduct for MPs to provide guidance to MPs on standards of conduct and ethics and ensure sustainability of the reform efforts. The project will support the Speaker’s Office, MPs and parliamentary staff to identify and document benchmarks of good governance and standards of ethics required of members of elected public office in accordance with international best practices. The Code of Conduct will be developed through a transparent and inclusive process, with expert technical advice and input and stakeholder consultations, and the final document will be made available to the public, thereby enhancing public trust in parliament and its members. In addition, the project will support the revision of existing rules of procedure that provide the structure for the legislative processes, such as amendment of the Parliamentary Standing Orders if necessary, to facilitate the adoption of stronger processes and procedures to make parliamentary committees more effective.

**Activity 3: Set up a Parliamentary Caucus on the Sustainable Development Goals (SDGs).** Parliaments are essential in the national development process and are key stakeholders in achieving the SDGs. The core parliamentary roles of law-making, budgeting, oversight and representation of constituency interests are all critical to the full implementation of the SDGs. The project will assist in establishing a Parliamentary Caucus on the SDGs (SDGs Caucus), as a cross-party mechanism focused on the Parliament’s role in promoting the SDGs. The Caucus will be supported in activities such as developing parliamentary awareness of the SDGs, research, analysis and expertise relating to localizing the SDGs, reviewing and drafting laws and policies through a human rights-based and sustainable development lens, and strengthening the Parliament’s overall role in implementing the SDGs. The project will also provide secretarial support to the Caucus as necessary, by coordinating meetings, producing documentation and meeting minutes, managing correspondence, information management and dissemination and other related tasks.

**Output 2: Developing and strengthening the Parliament’s outreach and citizen engagement capacity**

**Activity 1: Develop a communications, outreach and citizen engagement strategy for Parliament.**

The project will support the development of a communications, outreach and citizen engagement strategy for Parliament which will improve its capacities to better engage with civil society, media and citizens. This will focus on making the institution more people-friendly, increasing public awareness on the role of the Parliament and improving public confidence in the institution. The strategy will identify and map institutional outreach and information activities such as developing/modernizing the parliamentary website and developing visitor information centres or other online information platforms such as through social media. Other activities for outreach and engagement include developing Parliament’s communications and media relations skills and working with journalists to improve their understanding of and interaction with Parliament. In addition, Parliament’s capacity to engage with constituencies will be strengthened through developing facilities to meet and consult with constituents, and helping civil society and citizens’ organizations understand their rights, interact with parliament, and participate in public hearings. The project will also support the sharing of international best practices and activities that foster learning from other parliaments such as peer-to-peer exchange visits and analysing other country models for increasing public engagement.

**Outline of support:**

As part of the reform process, the Parliament of Malaysia has visited other parliaments and noted international best practices, and it is important that the knowledge and learning gained thus far be consolidated and implemented to swiftly operationalise the various Parliamentary committees.

* An international Parliamentary Expert will be deployed and will work closely with the Speaker of the House of Representatives and senior management of the Speaker’s Office to support the following work:

1. Provide day-to-day technical assistance and advisory support to the Speaker and senior management of the Speaker’s Office on areas related to strengthening the structure and working processes of Parliament, and public outreach, communications and engagement;
2. Develop terms of reference and/or standard operating procedures for the operationalising, effective functioning and sustainability of the new Parliamentary committees, including:
   1. The composition of committees, functions, roles, responsibilities, powers, proceedings, the frequency of meetings, the support infrastructure, staff capacity, Standing Orders, privileges, committee reports, public and press awareness/engagement, and other matters relevant to the effective execution of their roles;
   2. Systems, processes and tools used by committees to conduct oversight of government performance, programmes and budgeting as per international best practices; and
   3. Public hearings and consultation processes (including with government agencies, media, civil society, community groups, citizens and vulnerable groups).
3. Develop and provide training to the Chairpersons and members of all Parliamentary committees, covering:
   1. Mechanisms for committees to manage and process information that support more effective and objective legislative decision-making, including research, legislative and public hearings, and consultations;
   2. Scrutiny and review of draft legislation and exercise of legislative initiative; and
   3. Mechanisms for committees to develop a structured way of planning and organizing work for effective oversight and law-making.
4. Act as observer in committee meetings and provide technical advisory inputs and support as required;
5. Support the training, capacity-building and upskilling of the committee secretariats in order to provide the appropriate administrative and operational support for the proper functioning of the committees, including best practice in legislative development with a view to strengthen parliamentary committees’ oversight practices, work planning and overall committee practices and procedures;
6. Provide ongoing technical advisory support to the Speaker and senior management of the Speaker’s Office on parliamentary reform and development, as required.

* An SDGs Caucus coordinator will be deployed to support the setting up, coordinate and provide secretarial support to the Parliamentary Caucus on SDGs (SDGs Caucus), including:

1. Assist in setting up and operationalizing the SDGs Caucus;
2. Convene the first SDGs Caucus meeting and coordinate other meetings during the duration of the project;
3. Attend meetings as observer and secretariat, and provide administrative support as necessary;
4. Produce documentation and meeting minutes;
5. Manage all correspondence relating to SDGs Caucus;
6. Manage and disseminate all minutes, documentation and information related to the SDGs Caucus;
7. Other related secretarial tasks as required; and
8. Develop and build the capacity of the permanent SDGs Caucus secretariat to be able to take on and effectively perform all secretarial duties after the completion of the project.

* A short-term technical expert will be deployed for a period of [6 months] to develop a communications, outreach and citizen engagement strategy to strengthen Parliament’s capacity to better engage with civil society, media and citizens, including:

1. Review and assess current framework, procedure and practice for public outreach and communications in the Parliament (including legal and procedural documents such as Standing Orders), identify present capacity needs and propose recommendations to improve structures, mechanisms, processes and performance;
2. Develop, and provide advice/support to the implementation of, a communications and outreach strategy to increase public understanding of and participation in the work of Parliament:
3. Provide technical advice and support to improve the public consultation processes of parliamentary committees. This includes potentially:

* Raise awareness of MPs and staff on public consultation processes and tools, including comparative good practices;
* Advise on mechanisms for sustainable use of public consultation processes and tools by parliamentary committees;
* Recommend a clear strategy and concrete actions for institutionalizing public consultations by parliamentary committees;
* Provide inputs to develop the capacity of MPs and staff to effectively carry out public consultations on draft policy/legislation and oversight of policy/legislation implementation;
* Identify training needs of supporting staff to assist MPs with effective public consultation activities and deliver/organize training;
* Advise committees on strategies for involvement of national/local government agencies, media, civil society organizations, community groups, individual citizens, experts, and marginalized/vulnerable groups in consultations and the regular work of committees;
* Develop and support implementing a road map for the execution of the above-mentioned activities;
* Prepare and disseminate training materials and knowledge products as required.

1. Provide technical advice and support to enhance the quality of interaction between Parliament and Parliamentarians and citizens, media, civil society organizations and community groups through different means of communication. This includes potentially:

* Recommend strategy and actions for developing the Parliament website;
* Recommend strategy and actions for establishing a visitors’ information centre for Parliament;
* Identify training needs of relevant staff to effectively implement the communications strategy and organize delivery of training;
* Prepare and disseminate training materials and knowledge products as required.
* Staff from UNDP Malaysia will be involved in providing supervision on project implementation and financial management. A Governance Specialist and Programme Analyst will be assigned to provide oversight and technical support to keep the project progressing on the right track.

**Budget**

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| **EXPECTED OUTPUTS** | **PLANNED ACTIVITIES** | **Planned Budget by Quarter** | | | | **RESPONSIBLE PARTY** | **PLANNED BUDGET** | | |
| Q3  2019 | Q4  2019 | Q1  2020 | Q2  2020 | Funding Source | Budget Description | Amount (USD) |
| **Output 1: Strengthening the structure and workings of the Parliament.** | **Activity 1: Support the strengthening of the Parliamentary committees.**   * Develop terms of reference/standard operating procedures for Parliamentary committees. * Training of Chairpersons of committees. * Training of MPs of committees. * Support the operationalisation and effective functioning of committees. * Observe committee meetings and provide feedback and technical advisory support. * Provide ongoing advisory support to Speaker and senior members of Parliament. | X | X | X |  | Parliament Malaysia  UNDP | GCS | International  Consultant  Training/  Workshop  Travel | 100,000  40,000  10,000 |
| **Activity 2: Develop a Code of Conduct for MPs and revise rules and regulations relating to Parliamentary proceedings.**   * Develop Code of Conduct for MPs. * Conduct consultations with stakeholders and technical experts on Code. * Revise and finalize Code of Conduct. * Review, strengthen and revise Parliamentary rules and regulations as necessary. |  | X | X | X | Parliament Malaysia  UNDP | GCS | International  Consultant  Training/  Workshop  Travel | 30,000  30,000  10,000 |
| **Activity 3: Set up a Parliamentary Caucus on the Sustainable Development Goals (SDGs).**   * Set up SDGs Caucus and support effective functioning of the Caucus. * Convene and coordinate Caucus meetings. * Attend meetings as observer and provide secretariat support. * Produce meeting minutes, and other necessary documentation. * Manage all Caucus correspondence. * Manage and disseminate all minutes, documentation and information. |  |  |  | X | Parliament Malaysia  UNDP | GCS | Svc  contract  (SC/IC)  Printing/Publication  Training/ Workshop  IT Equipment (Laptops)  Miscellaneous | 15,000  3000  5000  3000  2000 |
| **Sub-Total for Output 1** | | | | | | | | ***228,000*** |

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| **EXPECTED OUTPUTS** | **PLANNED ACTIVITIES** | **Planned Budget by Year** | | | | **RESPONSIBLE PARTY** | **PLANNED BUDGET** | | |
| Q3  2019 | Q4  2019 | Q1  2020 | Q2  2020 | Funding Source | Budget Description | Amount (USD) |
| **Output 2: Developing and strengthening the Parliament’s outreach and citizen engagement capacity** | **Activity 1: Develop a communications, outreach and citizen engagement strategy for Parliament.**   * Develop communications, outreach and citizen engagement strategy. * Provide technical advice and support to improve the public consultation processes of parliamentary committees. * Provide technical advice and support to enhance the quality of interaction between Parliament and the public through different means of communication. * Identify training needs of staff to effectively implement the communications strategy and organize delivery of training; * Support sharing of international best practices and peer-to-peer learning and exchange. | X | X | X | X | Parliament Malaysia  UNDP | GCS | International Consultant  Local Consultant  Events  Workshop/ Conference  Travel | 20,000  5,000  10,000  8,000  5,000 |
| **Sub-Total for Output 2** | | | | | | | | ***48,000*** |
|  | **Total for Output 1 + Output 2** | | | | | | | | **276,000** |
| **Management and Advisory Services** | Project Support  Programme management and advisory services (DPC) |  |  |  |  |  |  |  | 10,000  33,120 |
| **General Management Support**  **@ 6%** |  |  |  |  |  |  |  |  | 16,560 |
| **TOTAL** | Total for Output 1 + 2 + Management and Advisory Services cost + GMS |  |  |  |  |  |  |  | **335,680** |